



## BOARD OF TRUSTEES POLICY AND PROCEDURES MANUAL

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## **CHAPTER I: ORGANIZATIONAL POLICIES (100)**

### **101. COLLEGE PHILOSOPHY, MISSION, AND GOALS**

#### **101.1 COLLEGE MISSION, GOALS, AND OBJECTIVES**

Warren County Community College will have mission, goals and objectives defined in a cyclical strategic plan approved by the Board of Trustees.

Approved: 08/22/97

Revised: 08/10/05

Reaffirmed: 04/16/16

Reaffirmed: 04/10/21

### **102. BOARD OF TRUSTEE BYLAWS**

#### **102.1 NAME**

The official name of the College effective January 24, 1992 shall be: WARREN COUNTY COMMUNITY COLLEGE.

#### **Use of the College Name by External Organizations**

No organization may claim or imply affiliation with the College without a fully executed contract with the College that specifies the use of the name of the College in the agreement.

The use of the Warren County Community College name by outside organizations in any newspaper ads, website, social media, radio, television, posters, flyers, brochures, public service announcements, videos, press releases and any other promotional materials may be used only to identify an official activity of the College that has been pre-approved by the College President or designee.

Any additional use of the Warren County Community College name and logo by outside organizations for profit or non-profit uses must be approved by the Board of Trustees or designee.

For marketing and promotional purposes, the College will be marketed as Warren Community College.

#### **Use of the College Name by Employees or Internal Constituents**

The use of the College's name must be pre-approved by the President or designee whenever it is used outside the campus in the following cases:

- To imply any type of endorsement, sponsorship or oversight of an activity
- To solicit any funds for college organizations
- To advertise campus or club events externally

No press releases for any club, organization, student class or other activity may be issued for Warren County College without the approval of the President or designee.

Approved: 09/24/82  
Reaffirmed: 11/15/06  
Revised: 06/22/16  
Revised: 06/22/22

## **102.2 PURPOSE**

The purpose of the College is to make available, primarily to the residents of Warren County, programs of instruction extending not more than two years beyond the high school level including, but not limited to, specialized or comprehensive curriculums, including college transfer programs, credit and noncredit technical, and career-oriented type programs and programs meeting the needs of business, public service institutions and others within the county.

The College's mission statement is as follows:

*Warren County Community College maintains a mission of building a community of learners through accessible and quality learning opportunities designed to meet educational goals and aspirations.*

In addition, noncredit programs shall be developed to meet the cultural, avocational, and special needs of the residents of the county.

Approved: 09/24/82  
Revised: 06/24/15  
Revised: 06/22/16  
Reaffirmed: 11/16/21

## **102.3 COLLEGE TRUSTEES**

The College shall be administered by a Board of Trustees, consisting of eleven (11) voting members and one alumni appointed in accordance with state statutes. The President of the College is a non-voting ex-officio member of the Board. The alumni representative is a non-voting member and shall not participate in executive sessions of the Board.

The responsibilities of the Board of Trustees is to collectively oversee the College in accordance with the powers and duties outlined in N.J.S.A. 18A:3-6 and the community college statutes (N.J.S.A. 18A:64A-1 et. seq.)

Approved: 09/24/82  
Revised: 11/15/06  
Revised 06/24/15  
Reaffirmed: 04/12/21

### **102.3.1 BOARD MEMBER ORIENTATION**

The Board encourages each new Board member to gain knowledge about College governance, the separate roles and functions of the Board and the College President, the operations of the College, Board policy, and Board procedures.

Each new Board member will be invited to meet and discuss Board functions, policies, procedures, finances/audits, key NJ community college statutes, strategic plans, employment contracts, the NJCCC, and the WCCC Foundation with the Board Chair, College President, VP of Finance and Operations, and the Board Secretary within 60 days of the initial appointment to the Board. A second 1-hour orientation session will take place with the Board Chair and College President prior to a Board meeting after six months of service on the Board. The second session is designed to answer emergent questions regarding Board functions, policies, procedures, college finances, and other relevant questions related to service as a member of the Board of Trustees.

Approved: 05/24/06

Revised 09/14/16

Reaffirmed 11/06/19

## **102.4 CODE OF ETHICS FOR COLLEGE TRUSTEES**

### **1. Application**

Article II of this code of ethics is applicable to members of the Board of Trustees of the College.

### **2. Definitions**

When used in this Article II, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

“Board” means the Board of Trustees of the College.

“College matter” means any application, award, bid, claim, contract, license, proceeding, resolution, or transaction, made by, to, against, or with the College, or which requires any official action by the Board, officers, or employees.

“Employee” means any person compensated for full- or part-time employment services rendered to the College.

“Immediate family member” means the spouse, natural or adopted child, grandchild, parent, grandparent, member of the household, or sibling of the trustee.

“Interest” means that a person shall be deemed to have a conflict of interest and therefore be disqualified if:

- a. There is a direct financial interest (i.e., doing business with the college);
- b. There is an indirect financial interest (i.e., benefits someone closely tied to the trustee, such as an employee, employer, family member or close friend);

- c. There is a direct personal interest (i.e., where the matter may affect the individual's judgment because of membership in, or desire to help another organization);
- d. There is an indirect personal interest (i.e., where a trustee votes on a matter that may benefit a relative, close friend, employee, or employer in a non-financial way);
- e. The conflict of interest may interfere with the impartial performance of his or her duties;
- f. The circumstances could reasonably be interpreted or perceived to show that they have a likely capacity to tempt a trustee;
- g. An actual conflict of interest is not the decisive factor, rather it is whether there is a potential for conflict;
- h. There are "contradictory desires tugging" the trustee in opposing directions.

"Person or party" means any natural person, association, corporation, estate, partnership, proprietorship, trust, or other legal entity.

### **3. Standards of Ethics**

- A. No trustee shall have any "interest", as defined herein, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of the trustee's duties to the College.
- B. No trustee shall use his or her official position to secure unwarranted privileges or advantages for himself or herself or others.
- C. No trustee shall act in his or her official capacity in any College matter in which the trustee, an immediate family member of the trustee, or an employee or employer of an appointed trustee has a direct or indirect financial interest that might reasonably be expected to impair the trustee's objectivity or independence of judgment.
- D. No trustee shall act in his or her official capacity in any College matter in which the trustee's capacity as a volunteer with another organization (civic, social, or other) has a real or perceived direct or indirect interest that might reasonably be expected or perceived to impair the trustee's objectivity or independence of judgment.
- E. No trustee shall undertake any employment or engage in any business, transaction, service, or professional activity, whether compensated or not, which might reasonably be expected to prejudice the trustee's objectivity or independence or judgment in the exercise of his or her official duties as trustee.
- F. No trustee shall solicit or accept, directly or indirectly, any gift, favor, service, or other thing of value under circumstances from which it might be reasonably inferred, or which the trustee knows or has reason to believe, it is offered for the purpose of influencing the discharge of his or her duties as trustee. Unsolicited gifts or benefits of a trivial or nominal value such as complimentary articles offered to the public in general are presumed not to violate the provisions of paragraph E of this section, unless circumstances exist which create a reasonable doubt as to the intention with which the benefit or gift was offered. "Nevertheless, trustees, during the course of their official duties, may accept meals which are offered as part of a meeting or an event so long as all attendees of such meeting or event are also

provided such meals. In the event that a sponsor of a meeting has pending with the institution a matter on which the trustees must act in the exercise of their duties, during the time that said matter is pending, officers and employees shall not accept any meals from any such sponsor.”

- G. No trustee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of the trustee's acts that he or she may be engaged in conduct that violates his or her trust as a public official.
- H. No trustee, nor any member or employee of a firm or corporation with which the trustee is affiliated, shall appear or negotiate on behalf of a party not affiliated with the College, in any matter before the College or in any cause of proceeding involving the College.
- I. No trustee shall use, or allow to be used, his or her public office, or any information not generally available to members of the public, which the trustee receives in the course of or by reason of the trustee's office, to secure financial gain, unwarranted privileges, advantage or employment for himself or herself, his or her immediate family members, close friends, or others with whom the trustee is associated.
- J. A trustee should devote time, thought, and study to the duties and responsibilities of a College trustee so as to render effective and creditable service.
- K. Except when acting in his or her official capacity at the direction of the Board, an individual trustee has no legal authority outside of the meetings of the Board and should conduct himself or herself accordingly with the College staff, local citizens, and all facets of the local community.
- L. An important function of the Board is to establish the policies and the goals of the College and to audit the performance of the administration in the fulfillment of these policies and the progress towards the goals. No trustee has the authority to manage or conduct the business of the College.
- M. All trustees should abide by the Middle States Characteristics of Excellence.

#### **4. Disclosure of Potential Conflict**

- A. At first knowledge of a transaction involving the College that reasonably could give rise to a conflict of interest, a trustee shall willingly and immediately disclose to the Board the precise nature of the real or perceived interest or involvement of the trustee, the trustee's immediate family member, an employee of the trustee, an employer of the trustee, or a close friend of the trustee in any College matter to be considered by the Board or College administration.
- B. If any other trustee is aware of another trustee's potential real or perceived interest or involvement, that trustee shall willingly and immediately disclose said interest or conflict to the Board.

1. Once a potential conflict has been disclosed, the Board shall recuse the disclosing trustee from the process of determining whether a true conflict exists. The process will include debate, fact-finding on the record and a vote.
    - a. If the Board unanimously votes that no conflict exists then the disclosing trustee will not be recused and the Board shall consider the transaction in its normal course.
    - b. If one or more of the trustees votes that the transaction is a potential conflict and a majority of the full Board of Trustees votes that the Board cannot consider the transaction without creating the impression of impropriety then the transaction shall not be considered by the Board, as it will be defined as an insurmountable conflict.
    - c. If a majority of the full Board of the trustees votes that there is a potential conflict but a majority of the full Board of Trustees votes that the Board may consider the transaction without creating the impression of impropriety then the transaction may be considered by the Board only if the Board votes that the recused trustee will not influence the Board or create the appearance of influence over the Board.
    - d. If the Board considers the transaction by recusing the disclosing trustee then the Board will consider the transaction following standard procedure for a vote when the trustee is not present.
2. When a trustee is recused from discussion said trustee shall leave the Board assembly area (room). The Board Secretary shall not record or request a vote from a recused trustee. The Board Secretary's minutes shall record that the recused trustee was not present for any debate or vote. Said trustee will not engage the board in any debate, discussion, vote, or communicate a position by any other means.

C. On or about February 1st of each year, the President of the College shall provide the trustees with a copy of this code of ethics, the Anti-Harassment Policy #201.2, the NJ Conscientious Employee Protection Action Employer Policy #201.2.2, all Chapter 1: Organizational Policies and the annual Financial Disclosure statement as soon as it is available from the State of New Jersey. This statement shall conform to all information mandated by both State and local statutes and guidelines. All trustees shall provide the Secretary of the Board with the aforesaid financial disclosure statements and a signed copy of the "Code of Ethics" (to acknowledge receipt and review) before March 30th of each year. The Secretary of the Board shall file the originals with the County Clerk and copies with the Local Finance Board on or before April 30th of each year. All financial disclosure statements filed shall be considered public records.

## 5. Enforcement

Persons who violate this code of ethics shall be subject to removal, suspension, or other disciplinary action and penalties provided in N.J.S.A. 40A:9-22.10 and 22.11 as determined to be appropriate by this Board or by the Local Finance Board in the Division of Local Government Services, Department of Community Affairs.

Approved: 03/24/95  
Revised: 08/8/07  
Revised: 11/19/14  
Revised 3/7/15  
Revised: 12/16/20



**BOARD OF TRUSTEES  
ANNUAL CODE OF ETHICS POLICY DISCLOSURE FORM**

I have read the Warren County Community College Code of Ethics for College Trustees Policy (#102.4) and agree to comply fully with its terms and conditions at all times during my service as a Board member. If at any time, following the submission of this form, I become aware of any actual or potential conflicts of interest, or if the information provided below becomes inaccurate or incomplete, I will promptly notify the WCCC Board of Trustees in writing.

### **Disclosure of Actual or Potential Conflicts of Interest:**

**Board Member Signature:**

**Board Member Printed Name:** \_\_\_\_\_

Date: \_\_\_\_\_

## **102.5       FUNCTIONS, POWERS, AND RESPONSIBILITIES OF THE COLLEGE TRUSTEES**

The College shall have responsibilities and powers according to N.J.S.A. 18A:64A-12.

Trustees of colleges are responsible for five basic areas:

- Policy development and long-range planning.
- Selection, evaluation, and working with the President.
- Financial matters and fiscal control.
- External relations.
- Matters of Personnel as defined by statute.

The Board of Trustees is a legislative body responsible for the determination of College policy.

The Board of Trustees appoints a president who is responsible for carrying out policies of the College. The President is the only college employee to deal directly with the Board except when someone is acting in the President's absence.

The authority of the Board rests in the Board of Trustees as a whole and not with individual trustees or committees. No trustee or committee, except upon the explicit direction of the Board or an approved Board Policy (e.g., President's Expense Account), can initiate any action involving the expenditure of College funds, take personnel actions, or pursue any other action that would obligate the full Board, legally, or otherwise.

Individual Board members are obligated to bring before the full Board any matter that would significantly affect the welfare of the College. No member may claim confidentiality of communications between and among members, or between and among the College staff, on matters significantly affecting the College.

The Board agrees that in general it will not respond to any anonymous allegations whether in written or oral form, except at the discretion of the whole Board and then only in unusual circumstances.

The Board of Trustees has the sole authority to name or rename any facility or portion of a facility owned and/or leased by the College.

Approved: 09/24/82

Revised: 08/10/05

Revised: 05/20/17

Reaffirmed: 04/2/2022

### **102.5.1       BOARD SELF EVALUATION**

The Board of Trustees is committed to the principle that every part of Warren County Community College should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution

depends upon an honest appraisal of its strengths and weaknesses. The Board therefore endorses an annual process of systematic self-evaluation and appraisal. The standards against which the Board will evaluate itself will be the educational goals, bylaws, and policies duly adopted by this Board.

Specifically, the Board will develop and implement an evaluation instrument that will permit individual members to annually assess the following: the conduct of Board meetings, the overall effectiveness of the Board's policy governance efforts, the Board's relationship with the President, the Board's overall governmental and higher education advocacy, and, in particular, the Board's efforts to promote the mission, goals and objectives of the College.

The assessments of the Board members will be tabulated and presented for discussion at a regular meeting of the Board in which the President will be invited to participate. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing academic year.

Approved: 08/16/06

Reaffirmed: 04/16/16

Reaffirmed: 04/10/21

## **102.6        EVALUATION OF PRESIDENT**

1. Three months prior to the end of the current year of service, the President shall prepare an oral and written self-evaluation for submission to the Board, inclusive of projected goals and objectives for the coming year. This self-evaluation shall be included in the Board's consideration of the President's performance.
2. No later than two months prior to the end of the current year of service, the Board of Trustees, with a voting majority present, shall hold an annual summary evaluation conference with the President. This conference shall be held in executive session. The conference shall include, but not be limited to:
  - A. A review of performance based on the job description.
  - B. A review of progress in implementing College goals, objectives, policies, and institutional priorities.
  - C. Review of other matters mutually agreed upon.
3. Within two weeks of this conference, an Annual Written Performance Report shall be prepared by a majority of the total voting membership of the Board and shall include, but not be limited to, comments on:
  - A. Performance areas of strength.
  - B. Performance areas needing improvement.

- C. Recommendations for professional growth and development.
4. In conducting the annual summary evaluation conference and in the formulation of the Annual Written Performance Report, the Board shall have available for review:
  - A. The President's self-evaluation.
  - B. The President's job description.
  - C. Annual Audit.
  - D. Other available data and documents that the Board may deem appropriate.
5. Written evaluations shall be solicited from all Trustees for compilation by the Secretary of the Board.
6. The annual summary evaluation report shall be written and signed by the Secretary of the Board on behalf of the majority of the Board.
7. Following receipt of the annual summary evaluation, the Board will afford the President, upon request, an opportunity to seek clarification of the report or any portion thereof. This meeting will be conducted in executive session unless a public meeting is requested by the President.
8. The President shall have the option of adding to the report any additional performance data that the President feels should be included in the record.
9. Upon its completion, the Annual Written Performance Report shall become part of the President's personnel file and shall be treated with the same confidentiality accorded other such records.
10. The timeline for conducting this performance review can be amended by mutual consent of both parties.

Approved: 04/27/90

Revised: 05/24/06

Reaffirmed: 04/16/16

Reaffirmed: 04/10/21

#### **102.6.1 PRESIDENT'S EXPENSE ACCOUNT**

An expense account will be established for the President with an annual travel expenditure limit set annually by the Board upon recommendation by the Finance & Audit Committee as part of the annual budget process.

The expense account shall be used for expenses related to the performance of duties and responsibilities of the President. In general, it shall be used when the President attends events, meetings, conferences, and workshops when he is conducting WCCC business.

All Presidential expenses shall be in accordance with the allowable expenses detailed and negotiated in the Presidential employment agreement. Pre-approval is always required for out of region travel and/or overnight lodgings and related expenses. The President shall maintain, provide and explain receipts for any reimbursable expenses. The Finance/Audit Committee shall approve reimbursable expenses prior to the disbursement of funds to the President.

College funded expenses should not include meetings with prospective donors or supporters of the college Foundation as any expenditures for Foundation-related activities shall be supported through Foundation funds, but these expenditures shall be reviewed and approved by the Finance/Audit Committee.

The President shall complete all appropriate forms following authorized travel in compliance with this policy. Nothing in this policy supersedes provisions contained in the president's contract related to presidential expenses. Should the President be dissatisfied with a determination of the Finance/Audit committee, he/she may appeal the decision to the entire Board.

Approved: 04/22/09

Revised: 05/20/17

Reaffirmed: 09/14/2022

## **102.6.2 PRESIDENTIAL SEARCH PROCESS**

1. When a vacancy in the office of College President occurs or is anticipated, the Board of Trustees (the "Board") shall appoint a Presidential Search Committee.
2. The Board shall implement its leadership succession plan appointing a temporary interim President, if necessary, while the search process is conducted.
3. The Board may elect to hire an external search consultant to assist in the search process.
4. The Board shall develop a charge to the Search Committee which will initially require assessment of the needs of the College and a recommendation to the Board of criteria for the selection of the new president. The Search Committee shall provide appropriate opportunities for the college community to comment upon the needs of the College and the development of criteria for selection of a new President.
5. The Board shall establish a timetable for the search, which will ensure that the office of President is filled in a timely manner.
6. The Board may adopt, modify, or reject the Search Committee's assessment of the needs of the College and the committee's recommended criteria for selection of a new President.

7. Based upon the selection criteria established by the Board, the Search Committee shall arrange for appropriate public advertisement of the vacant position, shall review all applications received, and select candidates to be interviewed by the Search Committee.
8. The Search Committee shall recommend to the Board in unranked order the candidates deemed most qualified for appointment. Only applicants interviewed by the Search Committee shall be recommended to the Board by the Search Committee.
9. The Board shall interview candidates recommended by the Search Committee and shall make such further inquiries as the Board deems appropriate. If the Board determines not to appoint any of the candidates recommended by the Search Committee it shall direct the committee to continue the search process and to recommend additional candidates or the Board may name a new Search Committee.
10. Interviews of applicants by the Search Committee and interviews of recommended candidates by the Board shall be conducted in private, closed session meetings as provided under NJ statutes. The committee and Board evaluations of applicants and deliberations thereon shall be kept confidential and shall be conducted in private.
11. The Board shall provide appropriate resources to enable the Search Committee to discharge its responsibilities effectively.

Approved: 03/24/95  
Reaffirmed: 11/17/10  
Reaffirmed: 4/16/16  
Reaffirmed: 04/10/21

## **102.7      OFFICERS OF THE COLLEGE BOARD**

Election of officers shall be held at the annual reorganization meeting in November and new officer's terms shall take effect immediately. They shall hold office until their elected successors are elected. Nominations will be made from the floor at the reorganization meeting. The College attorney shall conduct elections via written ballot for any contested offices. A quorum having been established, a majority vote of the Board members present shall be necessary for the election of each officer.

Officers are elected for a term of one year, and may succeed themselves for a total of four consecutive years. Officers completing terms of office of others shall not have that time counted towards the total of four years.

Vacancies in the offices shall be filled by the Board no later than the second regular meeting of the Board following the formal notification of the vacancy.

Vacancies in any office shall be filled using the same process as noted above.

Approved: 06/22/84

Revised: 11/14/07  
Reaffirmed: 04/16/16  
Reaffirmed: 04/10/21

## **102.8 DUTIES OF OFFICERS**

### Chairperson

The Chairperson shall preside at all meetings of the Board, shall be a member ex-officio of all committees, and shall be entitled to vote at all meetings of the Board and of all its committees. The Chairperson, with the concurrence of the Board, shall have the right to appoint trustees to represent the Board to other organizations, or ad hoc committees.

### Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in his/her absence and such other duties as the Chairperson may designate.

### Treasurer

The Treasurer shall serve as a signatory for the College for checks in accordance with State statutes or Board Policy.

### Secretary

The Secretary shall be responsible for the compilation of the official minutes of each board meeting. The Secretary shall serve as signatory for grants, Presidential contract or amendments, negotiated employee contracts, official Board correspondence or other items as deemed appropriate by the Board acting as a body.

A member of the Board of Trustees shall serve as secretary for the Board of Trustees. A member of the College staff shall serve as recording secretary, and shall be appointed annually.

Approved: 12/19/86  
Revised: 05/24/06  
Reaffirmed: 04/16/16  
Reaffirmed: 04/10/21

## **102.9 TRUSTEE REIMBURSEMENT**

Members of the Board shall serve without compensation but shall be reimbursed for reasonable expenses incurred for College business, such as meetings with the Commission on Higher

Education, or other meetings specifically related to their role as trustees (N.J.S.A. 18A:3B-6 and 18A:64A-9).

Board Members are encouraged to develop their expertise as Trustees by participating in professional activities, such as meetings of professional organizations, or professional conferences.

Subject to available funds in the College budget, trustees may be reimbursed for reasonable expenses incurred to attend professional activities under the guidelines listed below:

1. Trustees will act in accordance with their fiduciary responsibility to ensure that travel is related to appropriate professional development.
2. Trustees will work within approved budgets and with the College President to ensure that all travel expenses are reasonable and appropriate.
3. Trustees will work with the College's recording secretary in the development of all travel itineraries.
4. The Trustee Chairperson, College President and CFO will act as signatories for all expense reimbursement forms for trustees.

All Board of Trustee expenses are subject to Board policies and the extent of available funds set aside for such purposes. All expenses will conform to state statutes and ethical guidelines.

Board members may avail themselves of credit and non-credit course offerings provided by Warren County Community College contingent on available space. Board members shall be responsible for any costs associated with lab fees or the purchase of supplies and materials.

Approved: 09/23/94

Revised: 03/01/06

Reaffirmed: 04/16/16

Reaffirmed: 06/22/21

## **102.9.1 DUTIES OF BOARD ATTORNEY**

The Board attorney shall be the legal adviser for the Board and its officers in matters related to their official duties. Only the Board acting as a body, Board Chair, College President or College Chief Financial Officer shall authorize consultation with the Board attorney.

The attorney shall:

1. Represent the Board in legal proceedings.
2. Give an opinion, generally in writing, on all legal questions, review all contracts, bids, Request for Proposals, and similar instruments on behalf of the College.
3. Attend Board meetings, conferences and other meetings as requested by the Board Chair.

4. Fulfill such other legal duties as the Board may assign.

The compensation of the attorney shall be approved annually at the reorganization meeting, when he/she is appointed/re-appointed.

Approved: 05/24/06

Reaffirmed: 04/16/16

Reaffirmed: 06/22/21

## **102.10 EXTERNAL AFFILIATIONS**

All members of the Board shall avoid any conflict of interest in accordance with existing statutes and ethical guidelines. Furthermore, members shall avoid any appearance of impropriety and conduct themselves with the highest level of integrity.

Trustees and the President are encouraged to be active in community affairs. A Trustee shall not knowingly link his or her name with that of the College for any kind of endorsement whatsoever, including private, public, or political endorsements. Any external endorsement (i.e., other than the College) will require advance approval by formal written resolution of the College Board of Trustees.

Approved: 08/28/87

Revised: 03/01/06

Reaffirmed: 04/16/16

Reaffirmed: 06/22/21

## **102.11 BOARD COMMITTEE STRUCTURE AND PURPOSE**

The Board shall function as a committee of the whole on all matters requiring formal actions unless otherwise specified by adopted policies. Deliberations and actions of the full body may be facilitated through study and recommendations of such standing committees as may be approved and adopted by the Board. The Chairperson, with the concurrence of the majority of voting members of the Board, shall appoint such standing and special committees as deemed necessary to fulfill the responsibilities of the Board.

1. There shall be three standing committees of the Board with the following responsibilities.

### **Committee on Policy and Planning**

- A. Define Institutional and Programmatic Development
- B. Approve and monitor Long-range and strategic planning
- C. Define parameters under which the president will work in order to implement policies of the Board relating to policy or planning
- D. Monitor and assess implementation of these policies
- E. Establish External and advocacy relationships

### **Committee on Operations**

- A. Approve Facility related items.
- B. Review & approve Presidential Personnel Recommendations and other human resource related items.
- C. Review and approve contracts above "Bid Threshold" and "Pay-to-Play" statutes.
- D. Define parameters under which the president will work in order to implement policies of the Board related to operations
- E. Monitor and assess implementation of these policies

**Audit & Finance Committee**

- A. Provide fiscal oversight and financial resource development
- B. Review Audit guidelines and procedures annually with Board Auditor.
- C. Define parameters under which the president will work in order to implement policies of the Board related to finances and fiscal controls.
- D. Monitor and assess implementation of these policies
- E. Review and approve Presidential expenses per contract.

- 2. Each standing committee shall have up to four voting members. No member shall serve on more than one standing committee. The alumni representative shall serve on the Committee on Policy and Planning. Committees exist to make recommendations to the Board; they are not empowered to take independent action on the Board's behalf.
- 3. The Board Chair appoints members to committees at the November reorganization meeting, and serves as an ex-officio member of all committees. The Chair may elect to solicit volunteer to serve on standing committees. However, the assignment of committees is at the discretion of the Chair and Committee membership may be adjusted during the year as deemed necessary.
- 4. Each committee elects its committee chairperson at the first regularly scheduled meeting of the committee following the Board's annual reorganization meeting in November.
- 5. Standing committees are expected to meet prior to the scheduled Board meetings.
- 6. There shall be Committee meeting summaries distributed to the full Board after every committee meeting.
- 7. No trustee shall serve more than four consecutive years as chair of a standing committee. There is no limit on the number of years a Board member may serve on any standing or ad hoc committee.
- 8. The president (or a designee) shall attend all meetings of the standing committees.
- 9. Trustees accept that individual committees are responsible for conducting thorough reviews of matters applicable to their jurisdiction. Trustees that miss meetings of their assigned committee are responsible for obtaining information about committee deliberations.

10. Trustees are expected to attend regular meetings of their assigned committee as well as regular and special meetings of the Board of Trustees.

Approved: 01/26/14  
Revised 06/22/16  
Revised 04/18/18  
Reaffirmed: 11/16/2022

## **102.12      BOARD OF SCHOOL ESTIMATE**

The Board of School Estimate is established under law (N.J.S.A. 18A:64A-17) and is the formal agency established to fix and determine the amount of funds to be appropriated for use by the College for the operation and capital outlay expenses for the College.

The Board provides an official certificate stating the amount of funds to be received from the County for college operation and capital expenditures (exclusive of the amount to be received from state and other sources).

Membership on the Board consists of three County Freeholders and two College Trustees appointed by the Chairperson of the Board of Trustees. Pursuant to New Jersey Supreme Court decision, action at the Board of School Estimate is only official when a majority of the sitting Freeholder Board votes in the affirmative.

The Board shall hold a public hearing prior to February 15 of each year, pursuant to N.J.S.A. 18A:64A-17 to establish the amount of funds to be appropriated by the County to the College.

Approved: 12/21/84  
Revised: 3/01/06  
Reaffirmed: 04/16/16  
Reaffirmed: 11/16/21

## **102.13      OPERATION**

### Meetings

The Board shall follow the guidelines as established by statute N.J.S.A. 10:4-6 to -21, more commonly referred to as the Open Public Meetings Act.

The regular meeting dates shall be established at the Annual Reorganization Meeting. The annual notice of meetings shall be published in a newspaper and notices shall be posted in an appropriate public place at the College and on the WCCC website.

The Annual Reorganization Meeting of the Board shall be held in November.

Special meetings shall be held at the call of the Chairperson or at written request of five members of the Board to the office of the President.

### Notice of Meetings

A notice of the time and place of every regular meeting and a tentative agenda shall be sent to every trustee at least five days prior to such a meeting.

Whenever a special meeting is called, a notice stating the purpose of such a meeting shall be sent to each member of the Board at least 48 hours prior to the meeting.

In case of emergency, the Chairperson may convene the Board as quickly as deemed necessary, and the requirements for 48 hours prior notice shall be waived. Under the Open Public Meetings Act an emergency exists when:

- Matters of urgency and importance must be dealt with, and
- Substantial harm to the public interest would be likely to result if the meeting were delayed to provide the required notice.

Before holding an emergency meeting:

- Three quarters (3/4) of the members of the public body who are present must vote in favor of holding the meeting; and
- As soon as possible following the calling of the meeting, notice of the meeting must be:
  - prominently posted in the public place reserved for such notices,
  - telephoned or sent electronically to the newspaper designated to receive meeting notices, and
- The person presiding at the meeting must publicly announce at the commencement of the meeting and have placed in the minutes:
  - a statement that the normal notice requirements of the Act have not been met;
  - the nature of the urgency and importance that requires holding the meeting without giving the otherwise required notice;
  - the nature of the public harm likely to result if the meeting is delayed for the purpose of complying with the notice requirements;
  - the reason why the need for holding the meeting could not have been foreseen at a time when the required notice could have been provided, or if it could have been foreseen, the reason why the required notice was not provided;
  - the time, place and manner in which any notice was provided;
  - a statement that the meeting will be limited to the specific matter of urgency and importance for which the meeting was called.

#### Quorum

A majority of the voting members serving on the Board shall constitute a quorum for the transaction of business.

#### Attendance

Members will inform the Chairperson or his or her designee regarding their absence from any scheduled meeting of the Board or from the standing committees on which the member serves.

#### Agenda and Order of Business

The President shall be responsible for transmitting to members of the Board an agenda for each regular meeting, which shall reach the members of the Board at least three days prior to the meeting.

At all meetings, except special and emergency meetings, the business before the Board shall be conducted in the following manner unless otherwise agreed to by the Board:

- Call to Order
- Roll Call
- Approval of Minutes of Previous Meeting
- Communications
- Comments from the Public
- Presentations
- Committee Reports (as necessary)
- Consent Agenda
- President's Report
- College Report
- Other Business and Announcements
- Comments from the Public
- Adjournment

Approved: 02/2/85

Revised: 09/28/05

Revised: 09/16/15

Revised: 11/16/16

Reaffirmed: 02/10/21

## **102.14 MINUTES**

Official actions of the Board of Trustee meetings or executive sessions shall be found in minutes approved by the body in public session. Approved written minutes shall constitute the sole official record of the Board meetings with the exception of Hearings before the Board subject to Policy Number 104. Any electronic recordings of meetings other than hearings shall be destroyed after eighty days, or upon approval of minutes or a verbatim transcript, whichever is longer (refer to requirements of the Department of State, Divisions of Archives and Records Management). Minutes shall contain sufficient information to eliminate or minimize any ambiguity as to the specifics of the actions taken or matters discussed. Minutes shall comply with the Open Public Meetings Act.

Approved: 07/28/95

Revised: 03/28/07

Reaffirmed: 04/16/16

Reaffirmed: 06/22/21

## **102.15 PARLIAMENTARY PROCEDURE**

The Board shall be governed in its procedures by parliamentary rules and usage as set forth in Robert's Rules of Order Revised, latest edition.

Approved: 02/02/85  
Reaffirmed: 05/24/06  
Reaffirmed: 04/16/16  
Reaffirmed: 06/22/21

## **102.16 AMENDMENTS TO BYLAWS**

An amendment to the Bylaws may be adopted at any regular or special meeting of the Board succeeding the meeting at which it was proposed. Copies of the proposed amendment must be sent to each member of the Board at least five days before it is voted upon, together with a statement of the name of the introducer and of the meeting at which it is to be acted upon. No proposed amendment shall be adopted except upon the affirmative vote of a majority of the voting members of the Board.

Approved: 02/02/85  
Revised: 05/24/06  
Reaffirmed: 04/16/16  
Reaffirmed: 06/22/21

## **102.17 VOTING**

In order for an action to be approved, it must receive the affirmative support of the majority of those voting member trustees present, notwithstanding any restrictions otherwise provided in Roberts Rules per Policy 103.12. A voice vote shall suffice for adjournment, minutes, and resolutions of acknowledgment. All other actions must be voted upon by roll call.

Approved: 02/02/85  
Revised: 05/24/06  
Reaffirmed: 04/16/16  
Reaffirmed: 06/22/21

## **102.18 SPEAKERS BEFORE THE BOARD AT PUBLIC MEETINGS**

In order to perform its public duties in a fair manner the Board has established a procedure for speakers who wish to address a public meeting of the Board of Trustees on an issue concerning Warren County Community College. Board deliberations are governed by parliamentary rules and usage set forth in Robert's Rules of Order Revised, latest edition, and by the Board's by-laws.

To ensure that meetings are conducted in an orderly and efficient manner, remarks shall be limited to five (5) minutes and speakers shall comply with any direction of the Chair. If there are a number of public speaker request, the Chair reserves the right to limit public comment to no more than 30 minutes, provided that each speaker has no less than three (3) minutes to speak. If this time is not sufficient, speakers may request to submit a written statement with additional comments to the Board

for its consideration, or they may write to the Secretary of the Board, Warren County Community College, 475 Route 57W, Washington, NJ 07882.

Approved: 02/26/93

Revised: 05/24/06

Reaffirmed: 04/16/16

Reaffirmed: 02/10/21

Revised: 2/14/2024

## **102.19        BOARD PROFESSIONAL SERVICES**

The Board will solicit requests for proposals for professional services in the areas of legal, accounting, architect, engineering, insurance broker and banking services and award a contract to the provider that best meet the needs of the College. In general, the Board will award contracts for professional services at its Annual Reorganization meeting. There may be exceptions, however, that require the awarding of a specific professional service under another timetable or for a duration of multiple years.

To effectuate this process, the Board, through the College, shall issue a Request for Proposals and publicly advertise this request.

The process will be as follows:

- 1) The College will publicly advertise a Request for Proposals (RFP) for specific professional services via newspaper and the College's web site.
- 2) The RFP will be publicly advertised once at least ten (10) calendar days prior to the due date.
- 3) A non-mandatory conference or site visit may be part of the RFP process.
- 4) Clarifying responses to any aspects of the RFP, will be made available to all recipients of the RFP via email or facsimile. All questions must be received via email or facsimile.
- 5) Proposals shall be submitted to the College in a sealed envelope no later than the due date and time as stipulated in the RFP.
- 6) The College will send out the RFPs in a timely manner for the Board to approve at its November reorganization meeting.
- 7) The Board's Committee on Operations will review the RFPs, conduct interviews if necessary, and make recommendations to the full Board.
- 8) Once approved, the College will ensure all appropriate paperwork and documentation is completed.
- 9) Should adequate proposals not be received, the Board reserves the right to reissue the RFP or to select a firm/vendor to provide the service.

- 10) In general, the RFP's shall be for a one-year period with the option to renew for an additional year upon board approval.
- 11) Nothing herein shall prohibit the Board from awarding a professional services contract without an RFP process if it is judged to be in the best interest of the College or that the contract is required on an emergency basis.

The RFP should consist of the following:

- a) Services to be provided
- b) Submission requirements, including the due date for the proposal submission
- c) Criteria to be used to evaluate proposals
- d) Any special requirements, such as a site visit or conference or a meeting with the Board's Operations Committee
- e) Basic insurance, bond or indemnification requirements
- f) Contact information for questions

Approved: 07/30/04

Revised 09/16/2015

Revised: 2/11/2020

## **102.20 TRUSTEE PROFESSIONAL DEVELOPMENT**

### **1. Guidelines for Board Professional Development**

#### **General**

Board members are encouraged to engage in professional development activities to develop and fulfill their fiduciary responsibilities as trustees. In general, trustee professional development is also encouraged by the New Jersey Council of County Colleges, the Association of Community College Trustees, and the Middle States Association on Higher Education's *Characteristics of Excellence*. To ensure that the Board balances the need for continuing professional development with its responsibilities for prudent fiscal management of the institution, and accountability to the general public, the following general principals will be adhered to:

- a. Trustees are strongly encouraged to attend in-state seminars provided by the New Jersey Council of County Colleges.
- b. Trustees are encouraged to attend higher education national conferences as well (e.g., ACCT Annual Congress; ACCT Legislative Summit, AACC Annual Conference, or others as recommended by the college president).
- c. Trustees are encouraged to consider bringing in guest facilitators for Board retreats in lieu of travel expenses when it proves more cost effective and will provide more value added benefits by allowing the entire Board to engage in professional development.
- d. Trustees are expected to share a written summary highlighting their professional development activity and provide a brief oral report at the next meeting following the professional development event.

Trustees, acting as public stewards need to be mindful of the expenses of professional development activities on the College's relatively limited budget. To ensure their fiduciary responsibility for the prudent expenditure of institutional funds, the following guiding principles will also be in effect:

- I. An annual budget for trustee travel will be established in accordance with the college's regular budget development process.
- II. Out-of-state travel will be limited to no more than four (4) trips per budget year in total.
- III. Each trustee will be entitled to travel out-of-state once every three (3) years.

#### **Appropriate Exceptions**

The Board Chairperson, when he/she deems it is in the best interest of the College and its Board of Trustees, may authorize exceptions beyond the limits prescribed above (appropriate examples for exceptions might include: receipt of regional or national awards for the College or Board, for a trustee serving as an officer or member of a Board of Directors for a national association, or as a state designee to a national association, or to make a national presentation on behalf of the College, etc.).

## **2. Guidelines for Board Expense Reimbursement**

#### **General**

Expense reimbursements shall be reviewed and approved by the Board Chairperson and one other designated Board member (Board Treasurer or Vice-Chair). If the reimbursement is submitted by the Chairperson, it will be authorized by the Treasurer and the Vice-Chair. To be eligible for travel reimbursement, expenses must be directly related to the conduct of College business. For the protection of the Board of Trustees member and the College, expenses must be receipted and documented unless otherwise noted below Examples of adequate documentation are:

*Meals:* Restaurant receipt or charge slip (include any gratuity), nature of business transacted, and names of other individuals and companies or institutions represented. (Note that College funds may not be used to procure alcoholic beverages.)

*Mileage:* Location - city, number of miles (in accordance with College & IRS guidelines).

*Other:* Receipts (may be copy of canceled check or credit card receipt) with written and signed letter itemizing the expenditure and documenting the purpose of the expenditure.

*Lodging* (if not paid by the College in advance) – Hotel bill (note that the College funds may not be used to pay for additional amenities, such as alcoholic beverages, mini-bar candies, or spa treatments, etc.)

#### **Transportation**

Reimbursement will be made only for travel by the most direct route. Air travel should be at the least expensive accommodations available for the flight. Receipts for airfare must be presented with the request for reimbursement.

Charges for reasonable cab, bus or other local transportation fares may be reimbursed without receipts.

Car rentals should be approved in advance by the Board Chair.

#### **Mileage**

Reimbursement for use of a private automobile for College business will be at the annual rate approved by the Internal Revenue Service.

Costs of gasoline, repairs, towing and other vehicle related expenditures are included in the mileage allowance rate, and therefore, are the responsibility of the individual. The College shall not be responsible for any loss or damage to private vehicles.

If two or more Trustees travel in the same private vehicle, only the owner is eligible for mileage reimbursement.

#### **Parking, Toll Roads, and Bridges**

Receipts for reasonable parking, toll roads, and bridge fees are not required, but are encouraged if available.

#### **Meals**

The cost of a Trustee's meal is eligible for reimbursement when the Trustee is traveling away from home on College business during normal meal periods: 7:00 AM -10:00 PM.

When traveling away from home, Trustees can opt for reimbursement on a per diem basis whereby receipts are not required. The standard meal allowance for Trustees is \$90 per day.

The use of the standard allowance is to relieve a Trustee from maintaining detailed receipts while traveling. If meals exceed \$90, then original itemized receipts must be submitted with the standard expense reimbursement form. (Note that College funds cannot be used for the purchase of alcoholic beverages.)

#### **Lodging**

Receipts for lodging expense are required. If a traveler shares a room with a non-college employee or spouse and additional charges are required, reimbursement will be at the single room rate.

#### **Gratuities**

Reasonable charges for handling and checking baggage are allowable.

#### **Other**

The Board Chairperson, when he/she deems it in the best interest of the College and the Board of Trustees, may authorize reimbursement for expenditures beyond the limits prescribed.

Approved: 12/12/07  
Revised 09/14/2016  
Reaffirmed: 11/16/21

## **103. POLICY DEVELOPMENT AND APPROVAL PROCEDURES**

### **103.2 POLICY APPROVAL PROCESS**

Policies formulated by the standing committees shall be submitted to the entire Board for action.

In order for the Board to adopt or change a policy, two readings at successive regular Board meetings shall be required.

The policies will be considered adopted after the second reading if approved by the majority of the voting members of the Board.

In the event that the Board of Trustees determines that a policy change is necessitated immediately, a policy can be adopted, revised, or rescinded forgoing the procedure outlined above with a special notation documented within the minutes detailing the reason for immediate action. Two separate roll call votes shall be taken concerning any motion that requires immediate action; one vote for the reason that the standard policy approval process was suspended, and one vote on the policy matter being addressed.

### **103.3 POLICY REVIEW**

All policies shall be reviewed regularly and systematically first by the individual standing committees and then by the Board.

### **103.4 AMENDMENTS**

Policies may be amended at any time by action of the Board of Trustees. Amendments will follow the same procedures as required for original adoption.

### **103.5 POLICY UPDATES/NOMENCLATURE CHANGES**

Due to changes in job duties or staff reorganization, the Board delegates to the President, the authority to make nomenclature changes to Board policy, regarding college staff position titles, as long as it does not change the intent of an existing policy. Therefore, nomenclature changes need not be presented to the Board for first or second readings. The President will present any such title changes to the Board as information items.

### **103.6 Notification of Statutory, Regulatory, or Procedural Changes**

As the Board's policies delegate authority to the College to follow Federal and State statutes and regulations, it is important for the Board of Trustees to be aware of any changes in federal or state requirements that alter the operational procedures of the College.

When Federal or State mandates require changes in the College's written policies or procedures, the College shall share these changes with the Policy Committee of the Board of Trustees. In addition, the College shall provide the Board members with copies of its annual catalog and its faculty, student, and employee handbooks and note any policy-related changes to these documents.

Approved: 09/24/82

Revised: 02/25/04

Reaffirmed: 04/16/16

Reaffirmed: 12/14/2022

## **103.7 PUBLIC INFORMATION**

Two-way channels of communication should be kept open at all times between the College and the public. The College will make every effort to keep the public fully informed on matters concerning the operation of the college, its instructional programs, and other community services and events that are offered by or at the institution.

All public announcements concerning the College are to be handled through the Office of the President and/or designated by the President to the office of Public Relations. All Official announcements are made through the College as described above.

In the event that Board members are contacted by the media, they are strongly encouraged to inform the media that the College has a process for public relations, and are well advised to refer the inquiry, without comment, to the Board Chair or the College president. They should also obtain response contact information from the media representative. The President and/or the College's public relations office will determine the appropriate course of action and advise the Board Chair and the contacted Board member. When prudent the contacted Board member will provide the 'official' response.

The College's office of public relations will make positive media opportunities and "photo opportunities" available to Board members upon request.

Approved: 01/26/05

Reaffirmed: 04/16/16

Reaffirmed: 12/21/2021

## **104. PROCEDURAL RULES FOR HEARINGS BEFORE COUNTY COLLEGE BOARD OF TRUSTEES**

### **1. Forward; Scope**

The following rules govern the hearing and adjudication of disputes concerning tenure, personnel matters of employees not classified under Title 11A of the New Jersey Statutes, and other disputes arising under the

higher education laws contained in Title 18A of the New Jersey Statutes.

## **2. Definitions**

The following words and terms, when used in these rules, shall have the following meanings unless the context clearly indicates otherwise:

"Board" means the Board of Trustees of Warren County Community College.

"Chairperson" means the Chairperson of the Board of Trustees of Warren County Community College.

"Days" means calendar days.

"Secretary" means the Secretary of the Board of Trustees of Warren County Community College.

## **3. Commencement of Proceeding**

### **A. In General**

To initiate a proceeding before the Board, a petitioner shall file with the Secretary a petition conforming to the requirements set forth in section 5 below.

### **B. Tenure Charges**

To initiate proceedings for the dismissal or reduction in compensation of tenured faculty pursuant to N.J.S.A. 18A:6-18, a written charge of the cause(s) preferred against the faculty member signed by the person making the charge shall be filed with the Secretary.

## **4. Limitations Period**

### **A. In General**

A petition must be filed within 45 days of actual or constructive notice of the determination or action being challenged.

### **B. Bidding Matters**

A petition challenging the award or non-award of a contract under the County College Contracts Law, N.J.S.A. 18A:64A-25.1 et seq., must be filed within 10 days of actual or constructive notice of the contract award or non-award being challenged.

## **5. Contents of Petition**

The petition must:

- A. State the name and address of each petitioner;
- B. Identify the decision-maker(s) whose determination or action is being challenged and, where the challenged determination has been reduced to writing, include as an exhibit a copy of the written determination;

- C. Set forth a plain and concise statement of the essential facts, in separately numbered allegations, giving rise to the dispute;
- D. State the section(s) of Title 18A under which the controversy has arisen;
- E. Contain a statement of the relief sought; and
- F. Be verified under oath.

## **6. Contents of Tenure Charge**

A tenure charge must:

- A.. State the name and address of the respondent faculty member;
- B. Set forth a plain and concise statement of the essential facts, in separately numbered allegations, upon which the charge is based;
- C. Contain a statement of the relief sought; and
- D. Be signed by the person making the charge.

## **7. Caption; Designation of Respondent**

- A. The petition shall be captioned "In the Matter of the Petition of [name of petitioner]." Tenure charges shall be captioned "In the Matter of the Tenure Hearing of [name of charged faculty member]." In all cases, the caption should reflect that the proceeding is "Before the Board of Trustees of Warren County Community College."
- B. The College president or his/her designee shall be responsible for representing the College administration with or without the assistance of legal counsel.

## **8. Exhaustion of Remedies**

The failure by a petitioner to exhaust all remedies and procedures available internally through the College administration or under bargaining unit contracts shall be a complete bar to any proceedings under these rules.

## **9. Election of Remedies**

If the claim asserted in any petition is the subject of a pending grievance under a collectively negotiated contract or the subject of any other administrative or court proceeding, the proceedings on the petition shall be stayed pending completion of the grievance or other administrative proceeding.

## **10. Service of Petition and Tenure Charges**

- A. In general

The Secretary shall serve a copy of the petition on the College president. If the college president has designated another member of the administration to serve as the respondent, the College president shall serve a copy of the petition on the designee.

**B. Bidding matters**

In any case concerning the award or non-award of a contract under the County College Contracts Law, N.J.S.A. 18A:64A-25.1 et seq., the petitioner shall serve a copy of the petition on the successful bidder/contractor simultaneously with filing and shall file a proof of service along with the petition.

**C. Tenure charges**

The Secretary shall serve a copy of the tenure charge on the respondent faculty member.

**D. Manner of Service**

Service of the petition or tenure charges may be made by personal delivery, campus mail, regular mail, certified mail, messenger or overnight delivery service or telecopier followed by one of the other acceptable methods of service.

**11. Answer**

An answer to a petition or tenure charge shall be filed within 20 days after service of the petition or tenure charge. The answer shall admit or deny or give an explanatory statement in response to each allegation in the petition or tenure charge. A copy of the answer shall be served on each petitioner or on the person filing the tenure charge, as the case may be, simultaneously with the filing of the answer and proof of service shall be filed along with the answer.

**12. Intervention**

**A. Bidding Matters**

In any case challenging the award or the non-award of a contract under the County College Contracts Law, N.J.S.A. 18A:64A-25.1 et seq., the successful bidder/contractor shall have the right to intervene by filing a notice of intervention within 10 days of service of the petition. If the successful bidder/contractor does not file a timely notice of intervention, the right to intervene or participate may still be sought in accordance with N.J.A.C. 1:1-16.1 et seq. Any intervenor shall file an answer to the petition along with the notice of intervention or within 20 days after entry of an order permitting intervention.

**B. Other Matters**

Intervention and participation in other than bidding cases shall be governed by N.J.A.C. 1:1-16.1 et seq.

**13. Determination of Jurisdiction**

**A. Before Joinder**

Upon the filing of a petition, the Chairperson shall review it to determine if it states a claim or claims over which the Board has jurisdiction pursuant to P.L. 1994, Ch. 48, Sec. 6f. If it appears from the face of the petition that the Board does not have jurisdiction over one or more claims asserted in it, the Chairperson shall issue a written decision dismissing those claims over which the Board does not have jurisdiction.

**B. After Joinder**

Once an answer has been filed, objections to subject matter jurisdiction may be raised at any time on motion of a party or on the Board's own motion.

#### **14. .Standard of Review; Burden of Proof**

##### **A. In General**

In order to prevail, the petitioner must demonstrate that the challenged action or determination was clearly erroneous factually, contrary to law or college policy, or otherwise arbitrary, capricious, or unreasonable.

##### **B. Tenure Charges**

In matters involving the dismissal or reduction in compensation of tenured faculty pursuant to N.J.S.A. 18A:6-19, the College administration shall bear the burden of proof by a preponderance of the evidence.

#### **15. .Hearing Panel; Hearing Officer**

The Board may determine to hear a matter itself or assign the matter for hearing to a hearing panel consisting of three Board members or to an independent hearing officer. In the event a hearing is held before a hearing panel or independent hearing officer, the panel or officer, as the case may be, shall issue a written report containing recommended findings of fact, conclusions of law, and remedy, if any, in such form that it may be adopted by the Board as the final decision. Each party may file written exceptions to the report of a hearing panel or hearing officer within ten days after receipt of the report. Replies to exceptions shall not be permitted except with permission of the Chairperson for good cause shown. The Board shall issue a final decision, pursuant to P.L. 1994, Ch. 48, Sec. 6f, which may accept, reject, or modify the report of a hearing panel or hearing officer or any aspect of it. Unless the Board acts otherwise, all matters eligible for a hearing shall be assigned to a hearing panel.

#### **16. Transmittal to OAL**

Pursuant to N.J.S.A. 18A:6-18, cases involving the dismissal or reduction in compensation of tenured faculty shall be transmitted to the OAL for hearing.

#### **17. Hearing by Board; Quorum; Voting Eligibility**

If the hearing is before the Board itself, the hearing may proceed on any occasion when there is a quorum of the Board present even if the quorum is not identical on each day of hearing. However, in order to deliberate and participate in a decision where the hearing has been held before the Board, a Board member who has not attended all the hearings must certify in writing that he or she has listened to tapes of all hearing sessions from which the member was absent. The decision of the Board shall be by a majority of a quorum qualified to vote under this section.

#### **18. Public Proceedings; Exceptions**

##### **A. Hearings**

All evidentiary hearings before the Board, all proceedings on motions and other applications before the Board, and any oral arguments before the Board shall be conducted as public hearings unless otherwise provided by statute, rule or regulation, or on order of the Board for good cause shown. In considering

whether to close a proceeding, the Board will consider the requirements of due process of law, other constitutional and statutory standards, and matters of public policy. The Board will also consider the need to protect parties or witnesses from undue embarrassment or deprivations of privacy, or to promote or protect other equally important rights or interests. Hearings before a hearing panel or hearing officer shall be in private.

#### **B. Board Deliberations**

Board deliberations shall be in public session unless the matter falls within one of the exceptions to the Open Public Meetings Act as set forth in N.J.S.A. 10:4-12 or otherwise provided by statute, rule, or regulation.

#### **19. Subpoenas**

Subpoenas may be issued, pursuant to N.J.S.A. 18A:6-20, by the Chairperson. Upon application on notice to the parties, a witness summoned may request the Chairperson to quash or modify a subpoena. The Chairperson may grant the application in whole or in part upon finding that the testimony or the evidence required to be produced is not relevant to any matter in question or that the subpoena is unreasonable or oppressive, or has been issued without reasonable time to produce the evidence requested.

#### **20. Applicability of OAL Rules**

The following sections of the Uniform Administrative Procedure Rules promulgated by the Office of Administrative Law, N.J.A.C. 1:1-1 et seq., shall govern insofar as applicable:

- N.J.A.C. 1:1-5.1 et seq. (Representation)
- N.J.A.C. 1:1-7.1 et seq. (Service & Filing of Papers; Format) (except 1:1-7.4)
- N.J.A.C. 1:1-10.1 et seq. (Discovery)
- N.J.A.C. 1:1-12.1 et seq. (Motions)
- N.J.A.C. 1:1-15.1 et seq. (Evidence Rules)
- N.J.A.C. 1:1-17.1 et seq. (Consolidation of Cases)

#### **21. Emergent Relief**

All applications for emergent relief shall be governed by N.J.S.A. 1:1-12.6 except that all such applications shall be submitted to and decided by the Chairperson.

#### **22. Pre-hearing Conferences**

Pre-hearing conferences may be scheduled, in the discretion of the Chairperson, a hearing panel or a hearing officer whenever necessary to foster an efficient and expeditious proceeding. When the hearing is to be held before the Board, any prehearing conferences shall be held before the Chairperson; otherwise, they shall be held before the hearing panel or hearing officer, as the case may be. If appropriate, a prehearing order addressing the items set forth in N.J.A.C. 1:1-13.2(a) may be issued. The pre-hearing order may be amended pursuant to N.J.A.C. 1:1-13.2(b) and (c).

#### **23. Recording of Proceedings**

All hearings and arguments before the Board, a hearing panel, or hearing officer shall be recorded by sound recording device. Any party desiring to have any proceedings stenographically recorded may do so at that party's expense. The party desiring that the proceedings be stenographically recorded shall be responsible for obtaining the attendance of a certified shorthand reporter.

## **24. Construction and Relaxation**

The rules governing proceedings before the Board shall be construed to secure a just determination, simplicity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay. Unless otherwise stated, any rule may be relaxed or dispensed with by the Board if adherence to it would result in an injustice. In the absence of a rule, the Board may proceed in any manner compatible with these purposes.

Approved: 12/16/94  
Reaffirmed: 04/16/16  
Reaffirmed: 04/12/25

# **105. COLLEGE FACILITY NAMING RIGHTS**

## **105.1 POLICY**

The Board of Trustees reserves the right to name its buildings and other facilities under specific guidelines described in detail in the procedures for this policy.

All naming opportunities are negotiable and the College recognizes that, notwithstanding this policy, the Board of Trustees of the College retains its discretion to make exceptions or alter criteria or conditions as appropriate to the circumstances.

Warren County Community College and its Foundation seek private funds to enhance the College's ability to meet the higher education needs of the community, particularly toward a level of excellence that would otherwise not be possible. To that end, the College seeks to provide recognition to donors.

This policy establishes guidelines for the naming of facilities and programs for donor recognition. The opportunity to place the name of an individual, family or corporation on a building, room, center, institute, professorship, or scholarship at the College recognizes an individual's high scholarly distinction, devotion, distinguished service, or a generous gift while keeping the WCCC mission in mind when making decisions.

## **105.2 GENERAL PRINCIPLES**

The naming of any physical facility, campus grounds or academic program is usually only appropriate when a significant gift is received.

The merits of naming any physical facility, space, academic program or endowed fund should be determined by carefully weighing the honoree'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.

### **105.3 TYPES OF GIFTS FOR NAMING COMMITMENTS**

Any and all combinations of gifts, pledges, and irrevocable deferred gift arrangements are acceptable for naming commitments.

### **105.4 GUIDELINES FOR NAMING PHYSICAL FACILITIES**

Older existing facilities (more than 10 years old) purchased with state and/or county money should be named only in exchange for gift commitments of at least 20 percent to 35 percent of the building's replacement cost.

Newer existing facilities (less than 10 years old) purchased with state and/or county money should be named only in exchange for gift commitments of at least 35 percent to 50 percent of the building's replacement cost.

Unscheduled or unplanned facilities which a donor wishes to have constructed, consistent with the College's master plans and mission, will require at least a 50% gift commitment of the building cost.

The minimum gift for a "naming commitment" should be approximately \$10,000 for small physical spaces such as classrooms, offices and seminar rooms.

All permanently named facilities will be reviewed and approved by the President of the College and Board of Trustees upon the recommendation of the Executive Director of the Foundation and ultimately subject to the approval requirements listed below.

The following considerations should be kept in mind during the naming process:

All proposed names for buildings and other facilities will be held in confidence during the review and approval process. Communication shall be limited during this period.

- The naming of buildings, grounds or endowed funds in recognition of a donor or honoree implies a promise to that donor or honoree that the space, site, facility, endowment fund and other forms of tangible recognition will be permanently maintained, or if change is unavoidable, that an alternative means of recognizing the donor or honoree will be found.
- The College shall be responsible for maintaining a record all named facilities.

- Naming commitments and, in fact, all major gifts, whether recognized by naming rights or not, are reflections on the ideals and reputation of WCCC. Accordingly, each gift and naming commitment will be reviewed carefully for full compliance with applicable laws and ethical principles.
- 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. Removal of a donor's name will not be taken lightly and will be carefully considered, with the best interests of all parties involved, by the President and the Board of Trustees.

#### **105.5 APPROVAL PROCESS FOR THE NAMING OF FACILITIES**

The following procedures shall be followed in naming facilities:

1. The donor, either in response to a solicitation or of his or her own volition, indicates to a WCCC representative an interest in making a gift of significance to benefit the College.
2. The representative informs the Executive Director of the Foundation of the donor's intentions.
3. The Executive 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. When the Executive Director of the Foundation determines the exact nature of the gift intention and the interest in naming opportunities, she/he then discusses the application of the named gift program policies with the President.
5. The President reviews the details of the potential gift, determines appropriate naming opportunities available, and then shares the recommendation with the College's Board of Trustees and then the donor.
6. Once the naming opportunity is approved at all required levels, a formal contractual commitment is executed outlining parameters of the gift in support of the College (as well as the nature of the named recognition) by the college attorney. The attorney shall consider any tax implications of such a gift if it involves corporate, rather than individual sponsorship.
7. Recognition steps are then set in motion, including appropriate media announcements, signage installation, campus ceremonies, etc. (consistent with the wishes of the donor). It is important to note that, throughout the review and approval process, the donor's intentions will be held in strict confidence.

8. The named gift is then registered in the College's official register of named places on the campus, and is marketed as such in all publications and future announcements concerning this newly designated area.

## **105.6 OTHER NAMING OPPORTUNITIES**

### **105.6.1 Endowment and Scholarship Funds**

Endowment and scholarship funds are under the financial auspices of the Warren County College Foundation (WCCF). As such, the WCCF shall make the determination regarding the naming of scholarship and endowment funds. The Foundation, as a non-profit entity established to support Warren County Community College, should follow the same policies and principles in the naming of scholarship and endowment funds to preserve the integrity and reputation of Warren County Community College.

### **105.6.2 Programs or Chairs**

The President shall bring to the Board any proposal to name a program or a scholarly chair in the name of a recipient. Consideration of such as a request shall be based on the academic and scholarly merit of such an action and the overall benefit of the naming activity to the academic reputation of Warren County Community College. As a general rule, sponsorship of a scholarly chair shall require an endowment of at least three years of financial support for this endeavor.

### **105.6.3 Other Naming Opportunities**

This policy is in no way intended to preclude other naming opportunities that may benefit Warren County Community College. The Board shall consider any other naming activities brought to its attention on a case-by-case basis.

Approved: 08/13/08

Reaffirmed: 04/16/16

Reaffirmed: 04/01/23

## **106 BOARD SOCIAL MEDIA POLICY**

This policy governs the Board of Trustees of the Warren County Community College who utilize a variety of social media technologies. It is not limited to any specific media format.

For the purpose of this policy, social media is defined as any internet or mobile digital technology and systems used to share and/or receive information or conversation, including email accounts. WCCC respects the individual rights of its trustees to participate in social networking activities. The College also recognizes its responsibility to communicate to trustees the professional risks associated with participation in a non-board related social networking. If a trustee enters into an interaction on social media, the trustee risks being exposed to public reaction that may call into

question his/her integrity and professionalism. Therefore, it is the position of WCCC is to encourage board members to exercise caution in participating social networking.

Trustees should remember that the public may judge WCCC based on the utterances of an individual trustee. Hence, trustees, when participating in a social networking site, should attempt at all times to be accurate, exercise appropriate restraint, show respect for the opinion of others, and not subject the institution to public embarrassment or negative attention. Trustees should be aware that they could be held legally liable for what is posted on their own site and on the sites of others where they have attributed information. Conversely, the College cannot be held liable for the utterances of employee trustee acting without the expressed written approval of the College.

Trustees may not use social media to publish confidential materials of the College and should use only official college communication networks to conduct college business. The use of the College name, logo or image to advertise events or to solicit business on social networks is prohibited without prior College permission.

Trustees are free to endorse whatever product, cause or political party that they desire, as long as such endorsement does not have the appearance that it is related to the trustee's affiliation with Warren County Community College. The use of the College name to promote or endorse any product, cause or political party or candidate is prohibited.

The College is normally required to follow up on any reports or information regarding suspected criminal behavior by one of its trustees. Any trustee conduct on social media that appears to be in violation of federal, state or local statutes is subject to investigation by either the College and/or law enforcement agencies. If any violation of policy or law is discovered, the trustee may be disciplined accordingly.

Approved: 12/21/16  
Reaffirmed: 11/16/21

## **107 PRESENTATIONS BEFORE THE BOARD OF TRUSTEES**

From time-to-time, employees of WCCC are requested or required to make presentations before the Board of Trustees on an initiative that was funded through the College or is of relevance to the Board and the Community. These may include strategic planning updates, grant updates, program initiatives, faculty accomplishments or sabbatical presentations.

Therefore, each presentation before the Board of Trustees must provide evidence of at least one of the following:

- Evidence on how the program/project/initiative will have direct impact to students at the campus, and/or
- Evidence on how the program/project/initiative will have direct impact on teaching or tutoring on the campus; and/or
- Evidence on how the program/project/initiative will have direct impact on the Warren County Community College programs or services; and/or

- Evidence on how the program/project/initiative will have direct impact on Warren County or the higher education community in general.

Evidence may be qualitative and/or quantitative and must include satisfactory information to allow members of the Board of Trustees and the public to understand the purpose of the program/project or initiative, particularly if institutional resources are used to support any investment in the activity.

All Board reports shall have a written report (normally 3-5 pages) and shall be retained by the campus as evidence to MSCHE, grant program administrators, etc. that the college community is regularly interacting and sharing information and progress with the Board of Trustees. Presenters are expected to summarize their reports and allow the written record to stand as their complete presentation.

Approved: 12/13/23

## **CHAPTER II: PERSONNEL POLICIES (200)**

### **201 GENERAL INSTITUTIONAL POLICIES**

#### **201.1 EQUAL OPPORTUNITY – AFFIRMATIVE ACTION**

Warren County Community College reaffirms its commitment to affirmative action and equal opportunity at all levels of the institution, and the College shall comply with state statutes pursuant to N.J.S.A. 10:2-1 et seq. .

Approved: 04/28/04

Reaffirmed: 9/08/10

Reaffirmed: 9/13/2017

Reaffirmed: 9/14/2022

#### **201.2 ANTI-HARASSMENT**

##### **No Harassment or Discrimination**

The College maintains a strict policy prohibiting harassment or discrimination based on age, race, color, national origin or nationality, ancestry, religion, creed, physical or mental disability, sex, gender, gender identity or expression, sexual orientation, genetic characteristics or information, marital , civil union or domestic partnership status, veteran or military status, and any other basis protected by applicable federal, state or local law. All such harassment is prohibited. The College's anti-harassment policy applies to all employees, students, executives, officers, Trustees, Foundation Directors, independent contractors, visitors to the College and third parties.

The College's anti-harassment policy applies throughout the campus, exterior locations, on-line and to all college activities. If harassment occurs by someone not employed by or enrolled at the College, the procedures in this policy should be followed as if the harasser were an employee of the College. If such is the case, the College will strive to be sensitive to such concerns. Nobody at Warren County Community College should feel obligated to tolerate harassment in any form. Warren County Community College will act to eliminate harassment in the workplace and on the campus. Persons who engage in prohibited harassment are subject to disciplinary action, up to and including possible termination. Anyone who has witnessed or is a victim of alleged harassment should immediately report the matter to supervisor/manager or Human Resources in accordance with the Complaint Procedure for issues of possible discrimination or harassment (see below).

The College recognizes that as an academic institution devoted to the pursuit of academic learning, there may be instances where exposure to sensitive topics relating to the above protected characteristics may occur, such as in art, sociology, history and other classes. The College maintains an open-door policy with respect to student and faculty concerns relating to such topics and strives to fulfill its academic mission in a professional manner.

## No Sexual Harassment

All persons are prohibited from engaging in sexual harassment at Warren County Community College. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and exposure to visual, verbal or physical conduct of a sexual nature. Sexual harassment also exists when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or enrollment, (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive workplace or campus environment.

The following examples are a partial list of the types of conduct that may constitute sexual harassment (depending on the circumstances):

- Unwelcome/unwanted sexual advances;
- Propositions or requests for sexual favors;
- Repeated unwelcome requests for dates;
- Off-color jokes or innuendos; obscene, lewd or suggestive language; or sexually oriented or explicit remarks (including questions, comments or gossip about sexual conduct, experiences, prowess or deficiencies);
- Derogatory comments based on gender;
- Inappropriate or sexually suggestive touching, such as grabbing, groping, fondling, kissing, brushing up against another's body, stroking someone's hair, or rubbing or massaging someone's neck or shoulders;
- Other sexually suggestive gestures or physical movements;
- Posting, displaying or distributing any sexually oriented, sexually explicit or demeaning materials (such as posters, calendars, videos, photographs, graffiti, cartoons, figurines, e-mails, etc.);
- Standing too close, leering, staring or stalking;
- Other verbal or physical conduct that is of sexual nature or that is based on gender.

Prohibited sexual harassment also includes any effort by a person in authority to use his or her position or authority to control, influence, or affect the career, academic status, grades, salary, employment, or terms and conditions of employment of an employee or student in exchange for sexual favors.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment is prohibited whether it involves a co-worker, student, instructor, supervisor, manager, trustee or by persons doing business with or for the College.

### **Report All Forms of Discrimination or Harassment**

Everyone has a responsibility to maintain a workplace and campus free of any form of discrimination or harassment. Anyone who believes he or she has witnessed or is being subjected to discrimination or harassment on campus or at a College activity should immediately report the matter to a supervisor/manager or Human Resources in accordance with the Complaint Procedure below, or in any other manner reasonably calculated to inform College management.

### **Complaint Procedure – Discrimination or Harassment**

Maintaining a harassment-free workplace and campus requires the cooperation of all individuals. It is very important for all persons to report to the College any workplace or campus conduct they believe is improper regardless of the identity of the alleged harasser or who the harassment is directed at.

To encourage persons to bring forward any concerns they may have about possible discrimination or harassment, the College prohibits retaliation against anyone who makes such a complaint or who is involved in the investigation of such a complaint. Persons who believe they have suffered or witnessed retaliation must report the matter immediately to a supervisor/manager or Human Resources. Anyone who engages in retaliation is subject to disciplinary action, up to and including possible termination.

The College's complaint procedure provides for an immediate, thorough and objective investigation of any discrimination or harassment claim, appropriate disciplinary action against one found to have engaged in prohibited harassment and appropriate remedial action.

Persons who believe they have been harassed or discriminated against in the workplace or on campus, including by persons doing business with or for the College, should provide a written or oral complaint to Human Resources as soon as possible. The complaint should include details of the alleged incident(s), names of individuals involved, and the names of any witnesses. Supervisors and managers must immediately refer all harassment complaints to Human Resources.

### **Investigation Procedure**

All complaints of possible discrimination and/or harassment will be treated seriously and promptly investigated, even if the alleged victim expresses a desire that the College not investigate. That is the law. The investigation will be as confidential as possible, consistent with the need to conduct an investigation. The College will immediately undertake or direct an effective, thorough and objective investigation of the discrimination and/or harassment allegations.

All complaints of harassment and discrimination should be promptly reported to Human Resources for investigation or referral to the President, Board of Trustees Chairperson or Vice Chairperson, as outlined below.

- Complaints of harassment against the President, will be referred by Human Resources to the Board of Trustees Chairperson and Vice Chairperson for investigation with qualified outside counsel.
- Complaints of harassment against a Board of Trustees member, will be referred by Human Resources to the President. The President will report the complaint to the Board of Trustees Chairperson or Vice Chairperson (in the event of conflict) for investigation with qualified outside counsel.
- Complaints of harassment against a College Official or Human Resources Official, will be referred by a manager/supervisor to the President for investigation with qualified outside counsel.
- All other complaints of harassment will be referred by a manager/supervisor to Human Resources for investigation.

All investigations shall be conducted as soon as is practicable, and reported for appropriate action, if any, pursuant to applicable personnel policies and student conduct codes. The investigator shall interview the complainant, the person alleged to have engaged in a violation of this policy and any other persons who witnessed the alleged conduct or similar conduct forming the basis of the complaint. The investigator shall make written factual findings and credibility assessments, and then forward a report to the College attorney or Chairperson of the Board of Trustees (or Vice-Chairperson in the event of conflict) or President for legal counsel and evaluative assessment. A special emergency session of the Board may be convened to determine appropriate disciplinary and remedial action, if any, subject to applicable notice, personnel policies, procedures and regulations. All investigative materials are deemed confidential and are not subject to disclosure, except as otherwise required by law.

The investigation will be completed and a determination regarding the allegations will be made and communicated to the person who complained and the accused party.

#### **Disciplinary or Other Remedial Action Where Discrimination or Harassment is Found.**

If the College determines that discrimination or harassment has occurred, the College will take effective remedial action commensurate with the circumstances. Appropriate action may be taken to deter any future wrongful conduct, as well as future monitoring of any individuals alleged to have violated the policy.

If a complaint of discrimination or harassment is substantiated, appropriate disciplinary action, up to and including termination, will be taken. Whatever action is taken against the accused party will be communicated to the person who complained.

#### **False Claims of Harassment or Discrimination**

Anyone who makes an intentionally false claim of harassment or discrimination will be disciplined according to College policy, up to and including termination.

## **No Retaliation**

The College will not tolerate retaliation against any individual because he or she has made a good faith complaint of harassment or discrimination to the College or has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding, hearing or litigation under federal or state discrimination statutes or at other hearings regarding protected civil rights. The College also prohibits retaliation against someone closely related to or associated with the person exercising such rights. Examples of retaliation may include, but are not limited to, hostile conduct toward an individual who participated in protected activity. Such conduct includes, but is not limited to, verbal or body language which is threatening or expresses or suggests disapproval or hostility; failure to cooperate in workplace procedures; or sudden unfounded disciplinary action not based on actual job or academic performance. If anyone is unclear as to what kind of activity may be prohibited retaliation, contact Human Resources immediately for more information.

The College's Complaint Procedures provides for an immediate, thorough and objective investigation of any claim of unlawful retaliation because of opposition to alleged discrimination or participation in a proceeding regarding alleged employment discrimination. If anyone believes that they have been retaliated against because of their opposition to a practice they reasonably believe to be discriminatory or because of their participation in a hearing or proceeding regarding alleged unlawful discrimination, that individual should provide a written or oral complaint to Human Resources as soon as possible. The complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, and any documentary evidence.

All complaints of prohibited retaliation which are reported to management will be investigated. The College will immediately undertake and direct an effective, thorough and objective investigation of the retaliation allegations. The investigation will be as confidential as possible, consistent with the need to conduct an investigation. The investigation will be completed and a determination regarding the alleged retaliation will be made and communicated to the person who complains and to the person(s) accused of retaliation.

If the College determines that an individual has suffered adverse action in retaliation for opposition to alleged discrimination or participation in a proceeding related to alleged discrimination, the College will take effective remedial action appropriate to the circumstances. The College will also take action to deter any future retaliation. If a complaint of unlawful retaliation is substantiated, appropriate disciplinary action, up to and including termination, will be taken. Whatever action is taken against the person responsible for the retaliation will be communicated to the person who complained.

Approved: 12/09/98

Revised: 06/29/11

Reaffirmed 09/13/17

Revised: 09/15/21

## **201.2.2 NJ CONSCIENTIOUS EMPLOYEE PROTECTION ACTION EMPLOYER POLICY**

The College does not tolerate workplace misconduct and hereby establishes this procedure for employees to identify misconduct in or around the workplace without reprisal. Under New Jersey's

Conscientious Employee Protection Act, N.J.S.A. 34:19 et seq. ("CEPA"), you have a right to formally or informally report any statement, act, or behavior that you reasonably believe to be fraudulent or criminal, in violation of the law, a rule or regulation promulgated pursuant to law or a clear mandate of public policy concerning the public health, safety or welfare without fear of reprisal from your employer. Specifically, you have the right to:

- Disclose to a supervisor, Department Head, Human Resources, or to a public body, any activity, policy or practice that you reasonably believe is in violation of a law, a rule or regulation promulgated pursuant to law; or
- Provide information to, or testify before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Object to or refuse to participate in any activity, policy, or practice that you reasonably believe is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear mandate of public policy concerning the public health, safety, or welfare.

In the event you reasonably believe any conduct is a violation of any law, a rule or regulation promulgated pursuant to any law, is fraudulent or criminal, or is incompatible with any clear mandate of public policy concerning the public health, safety or welfare, you have the right not to participate in any such conduct, and you have the right to immediately report such conduct to your supervisor, or, if you prefer, your Department Head, or Human Resources. This policy is also applicable to conduct that relates to any entity that does business with the College.

The College will not take any retaliatory action such as termination, demotion, suspension, or transfer against any employee who complains of any wrongdoing under this policy, nor will any employee who utilizes this policy be subject to retaliation by any employee. If any employee believes they are being retaliated against because they refused to participate in conduct they reasonably believe is in violation of the law, a rule or regulation, or they complained about conduct pursuant to this Policy, they should notify Human Resources. To the maximum extent feasible, the confidentiality of all such complaints will be maintained on a need-to-know basis. However, investigation of such complaints may require disclosure to the accused party and other witnesses in order to gather pertinent facts.

Approved: 12/20/06  
Reaffirmed: 09/13/2017  
Reaffirmed: 09/14/2022

### **201.2.3**

### **ACADEMIC FREEDOM**

In accordance with N.J.A.C. 9A:1-1.8 (f) Warren County Community College adheres to the principle of academic freedom for all teaching professionals. This includes:

- Freedom in research and publication where these activities do not interfere with adequate performance of academic duties;
- Freedom in the classroom to discuss controversial issues pertinent to the discipline; and

- Retention of all rights as a citizen to free speech and publication. Such rights are not, as such, subject to institutional censorship or discipline.

Approved: 04/12/2017

Affirmed: 11/13/2022

#### **201.2.4 INTELLECTUAL PROPERTY**

Ownership rights of original works by College employees shall be governed by the following conditions:

1. “Original works” include, but is not limited to:
  - a) Any written works, including books, journal articles, texts, glossaries, bibliographies, study guides, course descriptions, laboratory manuals, syllabi, tests, test answers, and proposals.
  - b) Lectures, musical or dramatic compositions, and unpublished scripts.
  - c) Films, videos, charts, PowerPoint presentations or other visual aids.
  - d) Video, audio recordings and transcripts
  - e) Programmed instruction materials.
  - f) Computer programs and non-copyrighted information in distance education courses.
  - g) Choreographic works.
  - h) Pictorial, graphic and sculptural works.

#### 2. Institutional Ownership

If an employee produces materials in the performance of assigned duties, then the College shall own such materials and income derived from them shall belong to the College. “Materials” include, but are not limited to, such things as tests, test answers, syllabi, course descriptions, laboratory manuals, and study guides required for the instructional program.

Approved: 11/1/2017

Reaffirmed: 11/13/2022

#### **201.3 COLLEGE APPOINTMENTS**

The Board shall appoint a President of the College. The College staff shall be employed upon affirmative recommendations of the President with the approval of the Board.

The President, on behalf of the Board, shall accept resignations received from staff members. Notification of Staff resignations shall be forwarded to the Board for informational purposes and any correspondence shall be available to the Board upon their request.

Approved: 02/21/86

Revised: 08/19/09

Reaffirmed: 09/13/17

Reaffirmed: 02/08/23

#### **201.4 EMPLOYEE GRIEVANCE POLICY AND PROCEDURE**

Warren County Community College recognizes that prompt and fair resolution of any serious work related problem or complaint is important. This policy is intended to provide a timely resolution to problems and complaints.

Step 1. A work-related problem should be discussed with the supervisor within 7 working days of the issue.

Step 2. If the issue remains unresolved, the employee will provide a written description of the issue and will request, formally in writing, a meeting with the supervisor. The supervisor will provide a written response within 7 working days of the discussion.

Step 3. If not satisfied with the supervisor's response, a written request can be made to meet with the College's Human Resources representative to discuss the formal steps of the grievance policy. The request must be made in writing within 7 working days after the supervisor's response and should be accompanied by the description of the problem submitted in Step 2. A meeting will be arranged with the appropriate Dean/Vice President within 10 working days after the submission of the request and a written decision will be made within 10 working days after the date of the meeting.

Step 4. If no satisfactory resolution is reached in Step 3, the employee may request a meeting with the President within 10 working days after the Dean/Vice President has made a decision. This written request must be accompanied by the written description submitted in Step 3. A meeting will be arranged within 10 working days after the request and a decision will be made within 10 working days after the date of the meeting.

Step 5. If no satisfactory resolution is reached in Step 4, a written request can be made to meet with the Board Hearing Officer. A meeting will be arranged within 10 working days after the request and a written decision will be made within 30 working days after the date of the meeting.

The Board Hearing Officer's decision in Step 5 will be final.

Additional Provisions:

- The faculty grievance process is governed by contractual language. In the absence of contractual language, the Board policy governs the grievance process.
- The parties may mutually agree to extend timelines beyond those listed above.

Approved: 02/21/86  
Reaffirmed: 9/8/10  
Revised: 5/16/15  
Revised: 11/06/19

## **201.5        COLLEGE TRAVEL/MEALS/LODGING**

Travel required for normal operation of the College and that which is essential to the professional development of the College's employees will be authorized by the employee's Dean/Department Head when such travel is judged to be in the best interest of the College.

The Dean/Department Heads and the Vice President for Finance and Operations are responsible for reviewing and approving all reimbursements for expenses associated with approved travel. An expense report shall be submitted to the President for final approval. Travel advances will not be made unless approved by the President.

The use of personal automobiles for employee travel must be approved by the Dean/Department Head. The use of personal automobiles will be reimbursed at the current rate allowed by the Internal Revenue Service per mile for total miles traveled subject to the following provision:

Compensable mileage will be interpreted as the number of miles that would be traveled if the traveler were to leave Warren County Community College, travel to the off-campus location, and return to the main college campus. If the traveler to a college work location other than the main campus actually leaves from his/her own home or returns to his/her own home or both, compensable mileage shall be actual mileage involved, provided it does not exceed mileage if the employee had traveled to and from the College.

It is the employees' responsibility to provide full insurance coverage for their vehicles, since the College cannot provide protection for physical damage to personal automobiles used for college business.

Employees shall be reimbursed for meals, lodging, and gratuity allowances when conducting authorized college business. Lodging allowances will be reimbursed at a reasonable rate relative to the location of meeting or conference attended. Meal allowance will be reimbursed at the federal per diem rate for the location (see <http://www.gsa.gov>). If meal(s) are provided for the event attended or the employee is not attending for a full day, then the employee shall claim only for meals purchased using the rates as follows:

Breakfast: \$17  
Lunch: \$18  
Dinner: \$34

Approved: 06/23/04  
Revised: 09/30/09  
Revised: 02/14/18  
Reaffirmed: 04/01/23

## **201.6 RECOGNITION OF DEGREES**

For purposes of initial placement, promotion, or advancement in all positions and with respect to salary, the College shall recognize only earned degrees conferred by institutions, which are legitimately accredited by the appropriate regional accrediting body. Employees are responsible for providing an original transcript, as proof of their earned degree.

The College will not recognize through salary or in any other manner, degrees claimed from institutions not accredited by an appropriate regional accrediting body. This policy applies to both initial appointments as well as to personnel who acquire such degrees subsequent to employment.

After prior approval and upon the recommendation of the immediate supervisor, the appropriate Vice President, and the President, all regular full-time, non-faculty staff members shall receive an increase in salary for successfully obtaining an advanced degree approved in an appropriate discipline. The degrees and their corresponding increases are listed below:

Associate:	\$1,000
Baccalaureate:	\$1,500
Masters:	\$2,000
Doctorate:	\$2,600

This policy does not apply when the attainment of a degree is a condition of employment, or the degree granted is not relevant to the position currently held by the employee. Employees' salary increases will apply only to the attainment of the first Associate, Baccalaureate, Masters or Doctorate degree during their employment with the College.

Approved: 08/26/88

Revised: 09/08/10

Revised: 05/16/15

Revised: 02/11/20

## 201.7 CLASSIFICATION OF EMPLOYMENT

Warren County Community College classifies employees as regular full-time, regular part-time, adjunct, or temporary.

**Regular Full-time:** A regular full-time employee is employed on a year-round basis to work a minimum of 37.5 hours per week.

**Regular Part-time:** A regular part-time employee is employed on a year-round basis and works up to 29 hours per week. Regular part-time employees are eligible to receive only the designated salary.

**Adjunct Instructor:** An Adjunct Instructor is contracted on a semester-by-semester basis. The appointment is limited and temporary, creating no commitment on behalf of the College for future employment or eligibility for tenure. Adjunct faculty employment is considered part-time and shall be calculated on the number of hours of teaching per week rather than in the number of actual teaching days. As part-time employees, adjuncts may work no more than 29 hours per week. The IRS has specified this calculation as follows: an Adjunct Instructor will be recognized as working one and one quarter (1.25) prep hours for each contact hour taught regardless of the number of days taught per week. For example, a three (3) contact

hour class will equate to 6.75 (six and three quarter) hours worked per week. Adjunct employment may be terminated with or without cause at any time for any purpose.

**Temporary positions:** On occasion Warren County Community College may need to appoint personnel to fill temporary full-time and part-time positions. The President shall recommend to the Board of Trustees all temporary appointments. Such appointments are for a fixed duration and shall not extend beyond the designated period unless a reappointment is made. A temporary appointment is made when the service is to be full-time, part-time, voluntary, or does not extend beyond one fiscal year, usually funded under the terms of a grant or other external funding source. In rare cases, the College may elect to extend a temporary position beyond one year. In such a circumstance, the extension of a temporary position will be approved by the Board of Trustees. Temporary full-time faculty positions may be used in limited circumstances where a temporary or emergent need arises. Individuals in temporary faculty positions are not considered to be in a "tenure track" status for the duration of their temporary position.

All temporary appointments, whether part-time or full-time, automatically terminate at the end of the designated employment period, unless specific Board of Trustees action is taken to extend the appointment.

Individuals employed in full-time temporary positions are eligible for the same benefits provided to permanent employees on a prorated basis. Temporary employees must take any accrued vacation or personal days before the conclusion of their appointment; otherwise these benefits will be forfeited.

**Externally-funded positions:** An employee hired into an externally funded position is a temporary employee employed for the duration of the funding. Salary and benefits are based upon the terms for which the funding is provided.

**Intermittent positions:** Persons employed who are defined as those whose work schedule is unpredictable in nature and who do not meet the normal criteria for regular year-round employment. Professional positions are subject to Board approval.

**Work-study positions:** The College provides a limited number of temporary part-time employment opportunities for eligible students in college departments based on the allocation of federal work-study funds to WCCC. Work-study students are considered financial aid recipients and earn a portion of their financial aid funds through work-study assignments. Work-study students' earnings are not subject to FICA taxes. These work-study assignments are not presented to the Board for approval.

**Exempt employees:** Exempt employees are employees whose duties and responsibilities allow them to be exempt from the overtime pay provisions of the Fair Labor Standards Act and/or New Jersey's Wage and Hour Laws.

**Non-exempt employees** are not exempt from the provisions of the Fair Labor Standards Act or New Jersey's Wage and Hour Laws and who therefore qualify for overtime for hours worked in excess of forty per work week.

The following are the five position full-time classifications at the College with exempt and non-exempt status indicated:

1. Executive- exempt
2. Faculty- exempt
3. Administrative-exempt
4. Professional- exempt
5. Support- non-exempt

Approved: 08/26/88  
Revised: 04/28/04  
Revised: 03/23/14  
Revised: 02/14/18  
Revised : 04/12/25

## **201.8 POSITION DESCRIPTIONS**

Position descriptions for executive staff (Vice Presidents) will be proposed by the College President and approved by the Board of Trustees. Position descriptions are not policy, and therefore such action does not require two readings.

Position descriptions for all other personnel will be approved by the College President.

Approved: 09/27/96  
Revised: 01/13/10  
Reaffirmed: 09/13/17  
Reaffirmed: 01/02/22

## **201.9 ADMINISTRATIVE APPOINTMENTS AND FACULTY RANK**

Faculty rank reflects an active involvement in the instructional process. On occasion Warren County Community College will award faculty rank to individuals holding administrative “non-tenured faculty” positions. Such actions can be taken by the Board of Trustees when it is deemed in the best interests of Warren County Community College... Awarding faculty rank is an academic matter and reflects an active involvement in the instructional process, and it is not to be considered a fringe benefit for non-faculty appointments. Faculty rank will be granted upon approval of the Board, and formal action as memorialized in the Board minutes. Such action will be taken after consultation between the President and appropriate academic officers, and upon recommendation by the President.

Awarding of a Concurrent Faculty Appointment

A concurrent contract may be granted to a person qualified to provide educational services in a discipline recognized for academic rank by the College. The Board of Trustees, at its discretion, may grant concurrent academic rank in a department of instruction to the President if all qualifications for rank are met. Upon recommendation of the President, the Board may grant concurrent academic

rank to a Vice President, a Dean, Librarian, or other full time professional administrative staff member engaged in student academic counseling or teaching, who meet all qualifications for rank, as set forth under NJAC 9A:7-4.2. The Board of Trustees shall have sole discretion for determining the appropriate length of service for consideration on a case-by-case basis, but as a general model, no administrator with less than ten (10) years of full-time service would be considered without a record of exceptional service.

Administrators holding concurrent appointments will accrue concurrent seniority and tenure but not other benefits as a faculty member, including but not limited to collective bargaining rights.

#### Prior Faculty Status

If an administrator with previous academic rank by virtue of previous Warren County Community College service resigns his/her administrative post he/she may return to his or her previous faculty position provided:

1. A position for which he/she is qualified is available;
2. Adequate notice of the desire to return to a faculty position is given; and
3. It is deemed to be in the best interest of the College for such an offer to be extended.

The decision whether to recommend appointment of the individual to a faculty position is held at the discretion of the President, subject to Board approval. Such an individual shall be paid a salary commensurate with a faculty appointment and shall relinquish all rights to receive any previously earned administrator's salary or benefits.

Approved: 08/23/88  
Revised: 08/19/09  
Revised 05/16/2015  
Reaffirmed: 04/15/20

#### **201.10 TUITION REIMBURSEMENT POLICY**

The Board of Trustees of the College believes in the continued development of full-time employees. To that end the College supports a policy of tuition-reimbursed education that benefits both the individual and the institution.

##### Eligibility:

1. Full-time permanent professional staff and faculty members, with at least one year of service, shall be eligible for reimbursement of up to 18 credits per year (July 1 – June 30) for approved programs, at 100 percent of the prevailing rate for the Rutgers University New Brunswick campus (Rutgers rate) or 50 percent of the prevailing rate for other institutions, if higher, for graduate work only. Reimbursement will be awarded only for courses taken at a regionally accredited College or University for an advanced degree appropriate with the needs of the institution.

Employees enrolled in the New Jersey Council of County College's sponsored *Doctoral Program in Community College Leadership* shall receive reimbursement at the 100% rate for participation in this program.

2. Full-time permanent support staff, with at least one year of service, shall be eligible for an annual reimbursement of up to 18 credits per year (July 1 – June 30) for approved programs, at 100 percent of the Rutgers rate or 50 percent of the tuition rate for other institutions, if higher. Reimbursement will be awarded only for courses taken at a regionally accredited college or university for an undergraduate or graduate degree (depending on the individual's qualifications) appropriate with the needs of the institution. No reimbursement shall be made for any course or elective that is available at Warren County Community College.

Procedures/Requirements and/or Expectations:

1. Written notification of the intent to enroll in a specific course or courses must be made to the Office of the President (through) the appropriate Vice President, at least two months prior to registration in the desired course(s). Employees are required to submit a program description and course syllabi for all courses in addition to proof of tuition costs with their Tuition Reimbursement request form.
2. In the event that an employee is awarded financial aid by federal, state, institutional and/or private grants/scholarships (not including loans), the grants/scholarships will be applied first to tuition. If any employees' grants and/or scholarships exceed the amount of tuition owed, the employee will not be entitled to reimbursement. If an employee is awarded aid or scholarships that total less than the total tuition owed, reimbursement will be made to cover the balance paid out-of-pocket. The employee is required to disclose any grants/scholarships or discounts to the College prior to submitting expenses for reimbursement. Employees must submit documentation from their institution that shows that WCCC reimbursement benefits are factored in to their financial aid award.
3. It is understood that courses taken in accordance with the provisions hereof will be outside the regular work schedule of the individual taking them.
4. Employee will be limited to not more than (9) credits per semester or a total of 18 credits annually beginning with the summer term commencing after July 1.
5. An eligible employee will be reimbursed for 100 percent of the tuition costs, not including any fees, up to the Rutgers rate, or 50 percent of the tuition rate at other institutions, if higher, for the applicable undergraduate or graduate per credit cost. Employees enrolled in the New Jersey Council of County College's sponsored *Doctoral Program in Community College Leadership* shall receive reimbursement at the 100% rate for participation in this program. Per credit reimbursement will be provided for credits at the equivalency of a Rutgers's credit hour (i.e. 15 Carnegie hours for 1 credit earned). The College will prorate reimbursement for non-standard credit programs. (For example, an employee who takes a 180 credit bachelors program which would be 120 credits at Rutgers will receive reimbursement of 67% of the Rutgers tuition rate for each credit attempted.) The employee is required to present documentation of credit equivalency from the institution if the issue is questioned by the College.
6. Final payment will not be authorized until evidence of satisfactory completion of the course with a grade of "C" or better or the equivalent is submitted ("B" or better for graduate courses) and evidence from the college of the amount paid for tuition charges.

7. The employee must remain employed by the College through completion of the course to be eligible for reimbursement.
8. An employee will not be reimbursed for any required course or equivalent elective that could be taken at Warren County Community College.
9. An employee will not be reimbursed for courses taken to meet the minimum educational qualifications for their position. Employees in positions requiring a bachelor's degree will only be reimbursed for graduate courses.
10. The College has a right to limit the total funds available to support this tuition-reimbursement policy and may deny individual requests based on the availability of funds and/or the needs of the College.
11. Faculty and professional staff will only be reimbursed for courses that are directly related to their current employment within the institution. Employees will only be eligible for an initial Associate, Bachelors, Masters or Doctorate degree unless the College requires an employee to obtain an additional degree at the same degree level.
12. It is not the intention for WCCC to pay for multiple degrees for any individual employee. College reimbursement for a second degree will only be considered if the degree directly relates to the employee's current position. An employee must wait a minimum of 12 months from the date of completion of a first degree to apply for consideration of approval for a second degree.
13. Non-aligned employees will be permitted a 50% advance payment for their eligible tuition costs. The remaining 50% will be paid upon successful completion of the course. Employees may only be eligible for a 100% advance payment of tuition costs under extraordinary circumstances. All requests for a 100% advanced must be pre-approved by the Board of Trustees. Any employee receiving an advance must provide proof within 7 days that they have paid the education provider for the course.
14. The College will incur no financial obligation for tuition reimbursement until the employee completes the request and returns appropriate documentation. All employees, whether receiving an advance or not, must sign a statement that the College is not responsible for any obligation to the employee for tuition reimbursement until the employee successfully completes the course and provides the College with a transcript for the course(s). If an employee separates from the College prior to completing any course, the College shall be obligated for no tuition reimbursement expenses. The employee will be required to reimburse the College for any advance received from the College.
15. Employees electing to use this benefit in excess of 18 credits in aggregate will agree to remain employed with the College for one and one-half (1 ½) years from the date of the last tuition reimbursement request approved. If an employee resigns prior to this timeframe, the employee will be required to repay the College for all educational expenses previously reimbursed in the prior 1 ½ years from the date of separation. In the event of termination or non-renewal of the employee contract, the employee is immediately released from this obligation. All other releases from this obligation shall be at the discretion of the Board of Trustees.
16. The President may deny a tuition reimbursement request for any employee who has not met the expected outcomes in their position.
17. Employees who receive tuition reimbursement will be required to present to the Board of Trustees, annually, the benefits of their education thus far and how the degree will benefit the College and its students. It is the employee's responsibility to schedule their presentation through the President's Office. Individuals who do not meet this requirement will not be eligible to receive a reimbursement for a subsequent six month period.

Approved: 04/27/90  
Revised: 01/13/10  
Revised: 09/12/12  
Revised: 09/16/15  
Revised: 09/18/19  
Revised: 06/22/22  
Revised 6/21/2023

## 201.11 CODE OF ETHICS FOR COLLEGE EMPLOYEES

Warren County Community College employees are expected to conduct themselves ethically, honestly, and with integrity in all dealings. They need to be fair and principled in their official interactions both within and outside the WCCC community. They must act with due recognition of their position of trust and loyalty with respect to the College and its students, fellow employees and community members. Employees must also recognize their implicit position of power over all students with respect to confidentiality and the disclosure of academic and personal information. When in doubt about the propriety of a proposed course of action, employees must seek counsel from their supervisor, who can assist in determining the right and appropriate course of conduct. Warren County Community College is committed to conducting all aspects of business in the highest ethical and professional manner. Employees play a critical role in supporting these standards.

Employees are encouraged to be active in community affairs. An individual employee shall not knowingly link his or her name with that of the College for any kind of endorsement whatsoever, including private, public, or political endorsements without advance written approval through a resolution by the Board of Trustees. As employees may act as private individuals, they may not act as agents of the College, in such matters.

The College requires that employees refrain from any action and avoid any situation that might create a conflict between the personal interests of the employee or a third party and interest of the College. Even actions or situations that could create the appearance of such a conflict of interest must be avoided. In their work-related conduct, employees must act at all times in a manner that will best promote the College's interest.

Employees are expected to refrain from:

- Violating any applicable federal, state or local law or regulation.
- Violating an individual's right to privacy by disclosing through public means (including social media) any personal, academic or medical information without the individual's permission.
- Pursuing any outside business interest that might create or appear to create a conflict of interest with the College or that might affect the employee's work at Warren County Community College.
- Misrepresenting any College policies, prices, or procedures, or offering unauthorized deals or discounts to customers, or misrepresenting the employee's role or authority to enter into an agreement on behalf of the College.

Violation of any of these rules may result in disciplinary action, including the possibility of immediate termination. Employees should err on the side of caution, and are encouraged to bring any questions to the attention of Human Resources or the College President. Any actual or potential conflict of interest should be reported to the employee's supervisor when the conflict first arises, preferably through a written document that gives all the relevant information. This will enable the College to provide guidance and to take any appropriate steps to protect the College's and the employee's integrity.

### **Offering or Accepting Gratuities and Gifts**

Many vendors in our industry make it a common practice to provide gifts, favors and entertainment to the companies with whom they do business. Although it is important to maintain good relationships with vendors, employees must ensure that even the appearance of favoritism or special benefits are avoided. Employees should refrain from accepting a gift from vendors or students.

### **No Solicitation or Distribution**

The following activities are prohibited:

- Solicitation of any kind of employees on College premises during working time;
- Distribution of literature or materials of any type or description by employees during working time or in working areas at any time; and
- Solicitation of any kind or distribution of any type on College premises by non-employees at any time.

This policy applies to, but is not limited to:

- The sale of merchandise, products or services;
- Solicitation of employees for money, memberships, subscriptions, and signatures on petitions;
- Sports pools, lotteries, and community events;
- Distribution of literature such as advertising and handbills.

The only exceptions to this policy are College business activities and College-sponsored charitable causes. Contact Human Resources with any questions.

Approved: 03/25/95  
Revised: 05/09/07  
Revised: 06/18/14  
Revised: 04/12/17  
Reaffirmed 09/13/23

## **201.11.1 OUTSIDE EMPLOYMENT POLICY**

No employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity that is in substantial conflict with the proper discharge of the employee's duties to the College.

The primary work obligation of full time employees of the College is the College. No full time employee of the College shall engage in outside employment unless the College determines that the outside employment does not constitute a conflict of interest, occur at a time when an employee is expected to perform his or her assigned duties or diminish the employee's efficiency in performing his or her primary work obligation at the College. Part time and per diem employees, Adjunct Instructors and Continuing Education Instructors need not report outside employment provided that the outside employment does not constitute a conflict of interest.

Outside employment means continuing employment or business activity which requires that the employee render services, furnish goods or devote time to a business, professional practice, or to another employer or client, on a reoccurring basis. Continuing outside employment does not include an isolated commitment to serve as guest lecturer or a single instance of providing service or labor. The following examples of continuing outside employment activities are illustrative of the intent of this policy and are not meant to be a complete listing of continuing outside employment:

- A part time or adjunct teaching assignment at another educational institution except for a single or limited number of guest lectures;
- A clinical or professional practice (for example, medical, legal);
- Appointment as a consultant to a school district, corporation or other public or private enterprise for an indeterminate period or a period exceeding thirty (30) days even if actual time demands are intermittent;
- Operation or management of or employment in any business enterprise.

Outside employment generally will not be approved for over 20 hours per week. All continuing outside employment of a full time employee of the College during the academic year must have the written approval of the President or his/her designee.

Continuing outside employment during the employee's leave or vacation periods, is not subject to this policy provided that the outside employment does not constitute a conflict of interest.

Full time employees of the College will report, annually, in writing all continuing outside employment to Human Resources, by completing the WCCC Report of Continuing Outside Employment form.

Employees who violate this policy will be subject to termination of employment, suspension or other disciplinary action.

Approved: 01/31/07

Revised: 08/19/09

Revised 06/24/15

Reaffirmed: 09/18/19

## **201.11.2 TITLE IV INSTITUTIONAL CODE OF CONDUCT POLICY**

Consistent with the 2008 reauthorization of the Higher Education Opportunity Act, any employee or officer of Warren County Community College agents shall not:

1. Enter into any revenue sharing arrangement with any lender or lenders

A “revenue sharing arrangement” means any arrangement between an Institution and a lender under which the lender makes Title IV loans to students attending the institution (or to the families of those students), the institution recommends the lender or the loan products of the lender and, in exchange, the lender pays a fee or provides other material benefits, including revenue or profit-sharing, to the institution or to its employees or officers.

2. Receive or solicit gifts from a lender, guarantor or servicer of educational loans

In accordance with the Higher Education Opportunity Act, a “gift” is defined as any gratuity, favor, discount, entertainment, hospitality, loan, or other item having monetary value of more than a de minimus amount. However, a gift does not include (1) a brochure, workshop, or training using standard materials relating to a loan, default aversion, or financial literacy, such as a brochure, workshop or training; (2) food, training, or informational material provided as part of a training session designed to improve the service of a lender, guarantor, or servicer if the training contributes to the professional development of the institution’s employees or officers; (3) favorable terms and benefits on an education loan provided to a student employed by the institution if those terms and benefits are comparable to those provided to all students at the institution; (4) entrance and exit counseling as long as the College’s staff are in control of the counseling and the counseling does not promote the services of a specific lender; (5) philanthropic contributions from a lender, guarantor, or servicer that are unrelated to education loans or any contribution that is not made in exchange for advantage related to education loans, and; (6) State education grants, scholarships, or financial aid funds administered by or on behalf of a State.

3. Participate in a consulting relationship with a lender

This provision means that a College employee or officer may not accept from a lender, or an affiliate of any lender, any fee, payment, or other financial benefit as compensation for any type of consulting arrangement or contract to provide services to or on behalf of a lender relating to education loans.

4. Steer borrowers to particular lender or purposely delay loan certifications for students using non-preferred vendors

For any first-time borrower, Warren County Community College will not assign, through the award packaging or other methods, the borrower’s loan to a particular lender. In addition, the College will not refuse to certify, or delay the certification, of any loan based on the borrower’s selection of a particular lender or guaranty agency.

5. Solicit or accept special offers for private loans

No employee or officer shall request or accept from a lender any offer of funds for private loans, including funds for an opportunity pool loan, to students in exchange for providing concessions or promises to the lender for a specific number of Title IV loans made, insured, or guaranteed, a specified loan volume, or a preferred lender arrangement. An “opportunity pool loan” is defined as a private education loan made by a lender to a student (or the student’s family) that involves a payment by the institution to the lender for extending credit to the student.

6. Request or accept staffing assistance from a lender

Warren County Community College shall not solicit or accept from any lender any assistance with call center staffing or financial aid office staffing, except that a lender may provide professional development training, educational counseling materials (as long as the materials identify the lender that assisted in preparing the materials), or staffing services on a short-term, nonrecurring basis during emergencies or disasters.

7. Accept compensation for service on an advisory board related to financial aid matters.

A Warren County Community College employee or officer who serves on an advisory board, commission, or group established by a lender or guarantor (or a group of lenders or guarantors) may not accept anything of value from the lender, guarantor, or group, except reimbursement for reasonable expenses incurred by the employee or officer for serving on a board.

Approved: 5/20/09

Reaffirmed: 11/1/2017

Reaffirmed: 06/22/22

## **201.12 FAMILY AND MEDICAL LEAVE POLICY**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (“FMLA”) and/or the New Jersey Family Leave Act (“NJFLA”). This policy provides employees with information concerning FMLA and/or NJFLA entitlements and obligations employees may have during such leaves. Whenever permitted by law, the College will run FMLA leave concurrently with NJFLA and any other leave provided under state or local law. If employees have any questions concerning FMLA and/or NJFLA leave, they should contact the Director of Human Resources.

### **I. Eligibility**

FMLA provides job-protected leave from work for family and medical reasons. FMLA leave is available to “FMLA eligible employees.” To be an “FMLA eligible employee,” an employee must: 1) have been employed by a covered College for at least 12 months (which need not be consecutive); and 2) have been employed by the College for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

NJFLA provides job protection for eligible employees of covered employers to care for a family member or someone who is the equivalent of family. NJFLA leave is available to “NJFLA eligible employees.” To be an

NJFLA eligible employee, an employee must: 1) have been employed by a covered College in New Jersey for at least 12 months; 2) have worked at least 1,000 base hours during the 12-month period preceding the leave. Base Hours mean the hours of work for which the employee receives compensation including overtime hours and hours for which the employee receives workers' compensation benefits.

## II. Entitlements

As described below, the FMLA and NJFLA provide eligible employees with a right to job protected unpaid leave and continuation of health insurance benefits while on leave and, under most circumstances job restoration. The FMLA and NJFLA also entitle employees to certain written notices concerning their potential eligibility for and designation of leave.

### A. Basic FMLA and NJFLA Leave Entitlement

The FMLA provides eligible employees up to 12 work weeks of unpaid leave for certain family and medical reasons during a 12-month period. The NJFLA provides eligible employees up to 12 work weeks of unpaid leave for certain family reasons during a 24-month period. The 12 or 24-month period is determined based on a rolling 12 or 24-month period measured backward from the date an employee uses his/her FMLA leave. It is the College policy is to provide the greater leave benefit provided under the FMLA or NJFLA and to run leave concurrently under the FMLA and NJFLA whenever possible.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's family member which means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner or partner in a civil union, any other individual related by blood or marriage to the employee, or any other individual that the employee shows to have a close association with the employee, which is the equivalent of a family relationship. who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity +due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job (FMLA only); and/or
- Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces in support of contingency operations or Regular Armed Forces for deployment to a foreign country. This leave also is available for family members of active duty service members. (FMLA only).
- During a state of emergency: To care for a family member, or someone who is the equivalent of family, who has been isolated or quarantined because of suspected exposure to a communicable disease; or to provide required care or

treatment for a child if their school or place of care is closed by order of a public official due to an epidemic of a communicable disease or other public health emergency. (NJFLA only).

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet with definition of continuing treatment.

Under the NJFLA, "**care**" means, but is not limited to, physical care, emotional support, visitation, assistance in treatment, transportation, arranging for a change in care, assistance with essential daily living matters, and personal attendant services.

Under the NJFLA, "**child**" means a biological, adopted, foster child, resource family child, stepchild, legal ward, or child of a parent, including a child who becomes the child of a parent pursuant to a valid written agreement between the parent and a gestational carrier.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

## **B. Additional Military Family Leave Entitlement (Injured Service member Leave) (FMLA Only)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered service member** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the service member with a serious injury or illness.

FMLA leave to care for a service member shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service member.

A "**covered service member**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered service members** also include a veteran who is discharged or released from military service under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment,

recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces member and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

### **C. Intermittent Leave and Reduced Leave Schedules**

FMLA and/or NJFLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also may be entitled to take leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee (FMLA only) or covered family member (both FMLA and NJFLA) or the serious injury or illness of a covered service member (FMLA only). Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

### **D. No Work While on Leave**

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by applicable law.

### **E. Protection of Group Health Insurance Benefits During FMLA Leave**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the College substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The College will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. A "key employee" is defined under the FMLA as an employee among the highest paid 10 percent of all employees who are employed within 75 miles of the worksite. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

As with FMLA leave, at the end of NJFLA leave, subject to some exceptions, employees generally have the right to return to the same or equivalent position with equivalent pay, benefits and other terms. However, unlike key employees under the FMLA who may be denied reinstatement, key employees under NJFLA may be denied NJFLA leave if: 1) the employee is a salaried employee among the highest paid 5 percent of employees or one of the seven highest paid employees; and 2) denial of the leave is necessary to prevent substantial and grievous economic injury to the College's operations. The College will notify employees if they qualify as key employees under the NJFLA and that leave is being denied. If the denial of the NJFLA leave occurs while the employer's leave already has begun, the employee must return to work within two weeks.

### **G. Notice of Eligibility for, and Designation of, FMLA and NJFLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from the College telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their

rights and responsibilities in connection with such leave; 2) the College's designation of leave as FMLA-qualifying or non-qualifying and, if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The College may retroactively designate leave as FMLA and/or NJFLA leave with appropriate written notice to employees provided the College's failure to designate leave as FMLA-or NJFLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA and/or NJFLA protection, the College and employee can mutually agree that leave be retroactively designated as FMLA and/or NJFLA leave.

### **III. Employee FMLA and/or NJFLA Leave Obligations**

#### **A. Provide Notice of the Need for Leave**

Employees who wish to take FMLA and/or NJFLA leave must timely notify the College of their need for FMLA and/or NJFLA leave. The following describes the content and timing of such employee notices.

##### **1. Content of Employee Notice**

To trigger FMLA and/or NJFLA leave protections, employees must inform the Director of Human Resources of the need for FMLA/NJFLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA and/or NJFLA leave specifically, or explaining the reasons for leave so as to allow the College to determine that the leave is FMLA/NJFLA-qualifying. For example, employees might explain that:

- a condition renders them unable to perform the functions of their job or that they are under the continuing care of a health care provider (FMLA only);
- they are pregnant or have been hospitalized overnight (FMLA only);
- a covered family member (including partner in a civil union and parent-in-law under NJFLA) is under the continuing care of a health care provider or a condition renders the family member unable to perform daily activities;
- the leave is due to a qualifying exigency caused by a covered military member being on active duty or called to active duty status (FMLA only); or
- a family member is a covered service member with a serious injury or illness (FMLA only).

Calling in "sick", without providing reasons for the needed leave will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the College's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for the leave, the leave may be denied. When employees seek leave due to FMLA/NJFLA-qualifying reasons for which the College has previously provided FMLA/NJFLA-protected leave, employees must specifically reference the qualifying reason for the leave or the need for FMLA and/or NJFLA leave.

## **2. Timing of Employee Notice**

Employees must provide thirty (30) days' advance notice of the need to take FMLA and/or NJFLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the College notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give thirty (30) days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA and/or NJFLA notice obligations, may have leave delayed or denied, to the extent permitted by applicable law.

Except where emergent circumstances warrant shorter notice, when taking leave to care for a family member with a serious health condition, an employee must provide their employer with notice in a reasonable and practicable manner to take consecutive leave, and at least 15 days' notice to take intermittent or reduced leave.

Employees must also follow the College's usual and customary notice and procedural requirements when requesting FMLA/NJFLA leave, absent unusual circumstances. If employees fail to comply with these requirements, and no unusual circumstances justify the failure to comply, FMLA/NJFLA leave may be delayed or denied provided that employees have not otherwise provided timely notice is required by the FMLA/NJFLA, to the extent permitted by applicable law.

## **B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with the College and make a reasonable effort to schedule treatment so as not to unduly disrupt the College's operations, subject to approval of an employee's health care provider. Employees must consult with the College prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the College and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the College may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service member, the College may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the College of the reason why such leave is medically necessary. In such instances, the College and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the College's operations, subject to the approval of the employee's health care provider.

### **C. Submit Medical Certifications Supporting Need for Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of leave sought, employees may be required to submit medical certifications supporting their need for FMLA/NJFLA-qualifying leave. As described below, there generally are three types of medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide the College with timely, complete and sufficient medical certifications. Whenever the College requests employees to provide medical certifications, employees must provide the requested certifications within fifteen (15) calendar days after the College's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. The College shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven (7) calendar days to cure deficiencies.

The College will deny leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the College (through individuals other than an employee's direct supervisor) may contact the health care provider to authenticate or clarify completed and sufficient medical certifications. If an employee chooses not to provide the College with authorization allowing it to clarify or authenticate the certification with the health care provider, the College may deny leave if the medical certification is unclear. Whenever the College deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient medical certifications.

#### **1. Initial Medical Certifications**

Employees requesting leave because of their own, or a family member's serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least thirty (30) days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the College has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the College's expense. If the opinions of the initial and second health care providers differ, the College may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the College and the employee.

## **2. Medical Re-certifications**

Depending on the circumstances and duration of the FMLA leave, the College may require employees to provide recertification of medical conditions giving rise to the need for leave. The College will notify employees if recertification is required and will give employees at least fifteen (15) calendar days to provide medical recertification.

## **3. Return to Work/Fitness for Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, an employee returning to work from FMLA leave that was taken because of his/her own serious health conditions that made the employee unable to perform his/her job must provide the College medical certification confirming the employee is able to return to work and the employee's ability to perform the essential job functions of the employee's position, with or without reasonable accommodation. The College may delay and/or deny job restoration until the employee provides a return to work/fitness for duty certification.

## **D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, the College may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or different covered military member.

When leave is taken to care for a covered service member with a serious injury or illness, the College may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, in accordance with the FMLA regulations, the College may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

## **E. Reporting Changes to Anticipated Return Date & Periodically Concerning Intent to Return to Work**

Employees must contact the Director of Human Resources periodically in accordance with the instructions noted on the Eligibility Notice regarding their status and intention to return to work at the end of the FMLA and/or NJFLA leave period. If an employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the College with reasonable notice (i.e., within two business days) of the employee's changed circumstances and new return-to-work date. If employees give the College unequivocal notice of their intent not to return to work, the College's obligation to maintain health benefits (subject to COBRA requirements) and to restore their positions cease.

## **F. Substitute Paid Leave for Unpaid FMLA and NJFLA Leave**

Employees must (unless the College specifically informs employees otherwise) use any accrued paid time while taking unpaid FMLA and/or NJFLA leave. The substitution of paid time for unpaid FMLA and/or NJFLA leave time does not extend the length of FMLA and/or NJFLA leaves and the paid time will run concurrently with an employee's FMLA and/or NJFLA entitlement.

During the leave, employees may be eligible for compensation, such as temporary disability benefits, family leave benefits or workers' compensation benefits. Any compensation or leave taken in connection with any other policy/plan shall run concurrently with any FMLA/NJFLA leave entitlement. Upon written request, the College will allow employees to use accrued paid time to supplement any paid disability benefits, workers' compensation benefits and New Jersey Family Leave Insurance Benefits.

## **G. Pay Employee's Share of Health Insurance Premiums**

As noted above, during FMLA leave, employees are entitled to continued applicable group health plan coverage under the same conditions as if they had continued to work. Unless the College notifies employees of other arrangements, whenever employees are receiving pay from the College during FMLA leave, the College will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium. The College will allow the employee to catch up on payment of their portion of the group health premium upon their return to work.

The College's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the College will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days, at the end of the leave period (unless employees cannot return to work because of serious health condition or other circumstances beyond their control) they will be required to reimburse the College for the cost of the premiums the College paid for maintaining coverage during their unpaid FMLA leave.

## **IV. Coordination of FMLA/NJFLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any state, local law or collective bargaining agreement that provides greater family or medical leave rights such as the NJFLA.

However, whenever permissible by law, the College will run FMLA leave concurrently with NJFLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/NJFLA leave is either not available or exhausted, please consult the College's other leave policies in your College Handbook as applicable or contact the Director of Human Resources.

## **V. Temporary Disability Insurance and Family Leave Insurance.**

Employees who are on medical leave and are unable to work due to a serious health condition or who are on family leave may be eligible to apply for partial income replacement benefits with the State of New Jersey and are encouraged to contact the New Jersey Department of Labor for more information.

## **VI. Questions and/or Complaints about FMLA/NJFLA Leave**

If you have questions regarding this FMLA/NJFLA policy, please contact the Director of Human Resources. The College is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/NJFLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their rights have been violated, they should contact Human Resources Department immediately. The College will investigate any complaints and take prompt and appropriate remedial action to address and/or remedy any violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

Approved: 06/27/97  
Revised: 06/23/04  
Revised: 02/14/18  
Revised: 05/17/25

### **201.12.1 NJ DOMESTIC OR SEXUAL VIOLENCE LEAVE**

Employees are permitted to take unpaid leave for purposes of addressing issues attendant to their being victims of domestic or sexual violence. To be eligible for protection under the NJ SAFE Act, an individual must be employed for at least 12 months (there is no requirement that they be consecutive) and for at least 1,000 base hours (approximately 20 weeks) during the immediately preceding 12-month period. The College prohibits discrimination, harassment or retaliation against employees who avail themselves of domestic or sexual violence leave.

Under this policy, a covered employee is defined as one who is a victim of domestic violence or a sexually violent offense (a "qualifying incident"), or whose family member (defined as a parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) is a victim. New Jersey employees are entitled to unpaid leave of no more than 20 days in one 12-month period, to be used in the 12-month period following any qualifying incident. The unpaid leave may be taken intermittently in intervals of no less than one day, within the 12-month period following the qualifying incident. Each qualifying incident is a separate offense for which an employee is entitled to unpaid leave, provided he or she has not exhausted

the allotted 20 days for the 12-month period. Employees may take leave to engage in any of the following activities (as it applies to them personally, or to a family member as defined above):

- Seeking medical attention for, or recovering from, physical or psychological injuries caused by the incident;
- Obtaining services from a victim services organization;
- Obtaining psychological or other counseling;
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the victim's safety or to ensure his or her economic security;
- Seeking legal assistance or remedies to ensure the health and safety of the employee or family member, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or
- Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

The College requires employees to provide documentation of the qualifying incident when requesting leave. Acceptable supporting documents include the following:

- A domestic violence restraining order or other documentation issued by a court;
- Written documentation from a county or municipal prosecutor;
- Documentation of the conviction of the person who committed the qualifying incident;
- Medical documentation of the qualifying incident;
- Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center; or
- Other documentation or certification provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or family member in dealing with the qualifying incident.

If the need for leave is foreseeable, employees must provide the College with written notice as far in advance as is reasonable and practical under the circumstances. Employees may concurrently use any accrued paid vacation leave, personal leave, or medical or sick leave or family temporary disability leave benefits provided by law during any part of the 20-day period of unpaid leave. If an employee requests leave for a reason that is also covered by the FMLA or the NJFLA, employers may count the leave against an FMLA or NJFLA entitlement and run it concurrently with the employee's entitlement under each respective law.

Approved: 02/14/18  
Revised 05/17/25

## 201.13 PERSONNEL FILES

### **Purpose:**

To provide guidelines for the maintenance, access and disclosure of personnel files.

### **File Custodian:**

## Human Resources

### **Policy:**

The official personnel file for each employee is located and maintained in the Human Resources Office. The official file is divided into three distinct sections: General Employment, Performance Evaluation and Confidential. The official file contains records relating to job description, resume, educational transcripts, performance evaluations, benefits and insurance, letters of recommendation or reference, and correspondence. Disclosure of file contents is restricted as described in the following procedure.

### **Procedure:**

Employees desiring access to their personnel file may do so by making a written request to the Director of Human Resources. Employees shall be permitted to inspect, copy from, or reproduce their individual personnel records within two business days of request. Access to the three distinct sections of the file is restricted as follows:

### **Sections:**

General Employment  
Performance Evaluation  
Confidential

### **Access:**

- Employees
- Emergency personnel as needed
- Others as needed to process compensation/insurance claims
- Others determined by Human Resources as appropriate

Employees will be provided with a written copy via regular and certified mail of material to be placed in their personnel file at least three (3) days in advance of the placement of that material in the personnel file. The material received by the employee will have an acknowledgment attached indicating that the employee has been provided with the advanced copy of the document. A signature is required to acknowledge the receipt of, not the agreement with, the material. If the employee does not sign the acknowledgment, then the College has the right to insert the material into the personnel file after three (3) business days with a notation that the material was provided to the employee and that no written acknowledgment was returned. The employee shall have the right to read any and all material maintained in his/her personnel file and may submit a written response to such materials which shall be included in the personnel file.

With the exception of the disclosure to appropriate government agencies or College attorneys, contents of the file may not be disclosed to organizations outside the College without prior written employee consent. However, the Director of Human Resources may release a verification of employment, dates of employment, and position. In the case where this information is required pursuant to a court order or a subpoena, notice will be given to the employee immediately upon compliance with such order or subpoena. Note that this does not apply to any information that is deemed public by the New Jersey Open Public Records Act. The College may release public information upon request without notification to the employee.

In the event of a bona fide emergency, such as a sudden illness, such information as deemed necessary may be released at the discretion of the Director of Human Resources.

Approved: 04/03/98

Revised: 02/24/10

Revised: 11/10/15

Reaffirmed: 09/18/19

## **201.14      REFERENCE REQUESTS/SALARY CONFIRMATION**

### **Purpose:**

To provide guidelines for reference requests and/or salary confirmation for previous or current employees.

### **Policy:**

All requests for official references or salary confirmation from Warren County Community College, for previous or current employees, are to be in writing and directed to Human Resources.

Human Resources will provide the following information:

- Salary confirmation
- Verification of employment
- Date of hire
- Title of position
- Position description(s) (if desired)

All requests for employment information require a written release from the employee (or former employee). The release must specify the information that is requested.

Information, which is determined to be an invasion of privacy, will not be released except where legally required through subpoena or other governmental means.

Approved: 05/18/01

Reaffirmed: 9/8/10

Revised: 12/10/15

Reaffirmed: 11/06/19

## **201.15      EMPLOYEE BACKGROUND INVESTIGATION POLICY**

To ensure the integrity of our faculty and staff, the safety and security of the College and the community it serves, Warren County Community College will conduct background investigations on all external employment candidates being recommended to the Board of Trustees for approval of hire and all current employees. All new employment and continued employment will be pending

Board approval depending on the outcome of the investigative reports and the President's recommendation. All employees include, full time, part time, per diem, adjunct and Continuing Education Instructors. Student employees are not subject to an external background investigation, but may have educational requirements to meet prior to hiring and to continue employment.

The process of employee background investigations will be conducted every five (5) years throughout the duration of employment, generally on the employee's anniversary date. Employees who have separated from the College for more than one year shall also go through a new background check. Under this policy, all current and potential employees are required to authorize the background investigation, in writing. All employees are also required to disclose any felony arrests, disorderly person's charges or criminal convictions that take place during their employment at the College.

As requested by the College, the background investigation may include but is not limited to the following:

Education Verification - All post-secondary degrees, as required by position, or high school diploma, will be verified.

Employment Verification – Prior employment will be verified, as provided by the candidate.

Licensure – All required licenses, as required by position, will be verified.

Criminal Records – All available conviction records will be reported to the College.

A third party administrator will be used to conduct these investigations for the College. Completed investigation results will be forwarded to the Director of Human Resources, who will review the report with the President. Pending the outcome of this review, the President will make the decision regarding recommendation of employment or appointment to the Board of Trustees for approval of hire. In the case of an incumbent employee, pending the outcome of the review, the President will make the decision regarding recommendation of continued employment to the Board of Trustees for approval.

The College will ensure that all background investigations and appropriate follow up actions are held in compliance with all federal and state statutes. The College will secure required written authorizations prior to conducting the investigation. All employees and potential employees will be provided with appropriate notice of their background investigation as well as receive written materials explaining their rights under the law. All background investigative reports will be held in confidence in the employee's or applicant's Human Resource file. All files are located and locked in the HR office. Access to files is defined in the WCCC Policy 201.13, Personnel Files. As per the NJ Division of Archives and Records Management, unsuccessful applicant files will be stored for three years, then destroyed; terminated employee files will be stored for six years and then destroyed.

## **WARREN COUNTY COMMUNITY COLLEGE EMPLOYEE BACKGROUND INVESTIGATION PROCEDURE**

### **External**

Candidates are chosen for interview by the search committee, from pool of resumes received in responses to job vacancies notices.

Candidates for interview are contacted by Human Resources to schedule the interview.

Upon selection of the final candidate(s), by the search committee, a recommendation to hire will be made to the Vice President, as appropriate, and the President.

Human Resources will contact the selected candidate(s) to schedule the next interview with the President and to complete the employment application.

Upon approval to continue the hiring process by the President, Human Resources will contact the successful candidate and make the job offer.

Upon acceptance of the job offer, Human Resources will obtain the candidate's date of birth and begin the statewide criminal background investigation.

All investigative reports will be forwarded to the Director of Human Resources to review with the President.

Pending the outcome of the investigative report, the President will make the decision regarding the recommendation for hire to the Board of Trustees.

In the event of a negative outcome, Human Resources will inform the candidate if the College plans to take adverse action, provide the candidate with required information explaining their rights and process any appeals filed.

#### **Internal**

Incumbent employees will be notified by Human Resources when their background investigations will be conducted.

Employees will sign written authorization prior to the investigation being done.

Having secured written authorization, Human Resources will contact the third party administrator to begin the investigation.

All investigative reports will be forwarded to the Director of Human Resources to review with the President.

Pending the outcome of the investigative report, the President will make the decision regarding the recommendation of continued employment to the Board of Trustees.

In the event of a negative outcome, Human Resources will inform the employee if the College plans to take adverse action, provide the employee with required information explaining their rights and process any appeals filed.

Approved: 11/07/05  
Revised: 01/13/10  
Revised: 11/18/14  
Reaffirmed: 12/19/18  
Revised 04/12/25

## **202. PROFESSIONAL STAFF POLICIES**

### **202.1 DESIGNATION, SELECTION, APPOINTMENT & EVALUATION OF STAFF**

The President shall have responsibility for developing and recommending change in the organizational structure of the College.

The President shall nominate staff members for appointment and reappointment and establish procedures for staff evaluation. Staff appointment and reappointment decisions shall be based upon Warren County Community College's needs and the individual's merits. The appointment or employment of all nominated staff members is, however, subject to final approval by the Trustees.

All employees of WCCC shall be approved by the Board of Trustees on at least an annual basis. Nothing herein shall preclude the President recommending and the Board approving shorter contracts. Part-time employees in jobs related to semester work (such as tutors) shall be appointed on a semester basis.

Professional (non-faculty) staff are expected to provide 60 days' notice in writing if they wish to terminate their employment. The President can waive this 60-day notice by mutual agreement. When possible, employees terminating shall take any accumulated vacation and unused personal days within the period prior to the date of termination.

The President may appoint part-time and full-time staff members, (other than Senior Staff Members), which will be in effect until ratified by the Trustees at their next meeting.

A decision to employ someone full-time is based on the assumption that he/she is available to the College on a full-time basis. All Professional (Non-Faculty) full-time College employees are responsible to comply with all aspects of Warren County Community College policy 201.11.1 pertaining to outside employment.

The President shall serve as liaison between the trustees and all College personnel.

In the short-term absence of the President, the succession of "Officer in Charge" will be as follows: VP of Finance & Operations, VP of Corporate & Continuing Education, VP of Academics, Dean of Administration, Campus Safety Director, and then an individual designated by the President. If the President shall be incapacitated or unavailable for a period of thirty days or more, the Board shall designate an individual who currently reports directly to the President with "Officer in Charge" responsibilities.

Approved: 07/26/85  
Revised: 11/17/10  
Revised 12/10/15

Reaffirmed: 02/13/19  
Revised: 02/10/21

## **202.2 EMPLOYMENT SEARCH**

The Director of Human Resources is responsible for developing and maintaining established employment procedures, including but not limited to: posting, advertising, applicant screening and compliance with appropriate state and federal employment regulations.

Upon review and approval to fill a vacant position, the President or designee shall appoint a search committee, when deemed appropriate, including the designation of a chairperson. The chairperson will provide leadership during committee meetings and interview sessions. The Search Committee is advisory in nature and exists to assist the President in the selection process.

Approved: 03/26/93  
Revised: 11/17/10  
Reaffirmed: 11/1/2017  
Reaffirmed: 11/15/23

## **202.3 ANTI-NEPOTISM POLICY**

### **EMPLOYMENT OF RELATIVES**

The College maintains a policy to ensure:

- Effective supervision, problem solving, internal discipline, security, safety, and positive morale in the workplace and;
- The basic criteria for employment, appointment and promotion, of all college faculty, staff and student employees, will be based on appropriate qualifications and performance. All selection of personnel will be based on job-related qualifications to avoid the potential for problems of favoritism, conflicts in loyalty, discrimination, and appearances of impropriety or conflict of interest. Family members of employees, Trustees or Foundation Directors may be employed, as long as neither family member is directly or indirectly responsible for or influences any employment action.

#### **Definitions:**

**Nepotism** – Favoritism applied, without regard to merit, through authority or influence by someone in a position of power, toward family members or others for whom the employee, Trustee or Foundation Director is legally responsible. Favoritism is shown by giving preferential treatment in any employment action to family members and others as defined in this policy.

**Employment Action** – Hire, promote, reclassify, supervise, direct, evaluate, make a salary recommendation, assign work or resources, approve leave requests, extend any benefit, or terminate employment.

**Family Member** – Spouse, domestic partner, mother, father, sister, brother, biological, adopted, or foster child, step-child, legal ward, grandparent, grandchild, first cousin, aunt, uncle, niece, nephew, parents-in-law,

sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent-in-law, grandchild-in-law, or corresponding step-relatives, or corresponding relatives of the employee's, Trustee's or Foundation Director's partner, other persons for whom the employee, Trustee, or Foundation Director is legally responsible, and anyone who stood in loco parentis to the employee, Trustee or Foundation Director as a child.

**Procedure:**

- Employees, Trustees and Foundation Directors are required to self-disclose to the Director of Human Resources, if any family member, business associate or close friend applies for a position for which they will be responsible or may influence the employment actions referred to in this policy; or experience any changes in their personal situations, which may be covered under this policy.
- Internal and external applicants are required to self-disclose, to the Director of Human Resources, at the time of application, if they are related to any current WCCC employees, Trustees or Foundation Directors and specifically, if the position for which they are applying reports to or supervises a family member.
- When a conflict of interest cannot be eliminated through alternative arrangements, the hire will not be approved.
- In the case when two employees in a supervisory or other influential employment relationship get married, join in a civil union or domestic partnership, the one with the shorter length of service will be required to transfer, resign or be terminated within 30 days unless the other does so voluntarily.
- All instances of change in personal relationships, as it relates to this policy, must be reported to the Director of Human Resources.
- In all instances of possible nepotism, decisions will be referred to the President for recommendation to the Board of Trustees, for final approval of employment.

**STUDENT RELATIVES**

All instructional staff have authority in the classroom and are in a position of power. The intent of this policy, as prescribed above regarding relatives, also applies to academic actions. No instructional employees (FT faculty, Adjunct Instructors, Continuing Education Instructors, Staff members) shall accept a student relative into their class or influence any academic actions of relatives.

**Procedure:**

- In the case of a student relative, it is the employee's responsibility to avoid having the student register for the employee's class. If for any reason, a student is registered for a related employee's class, the employee must report the situation to the Director of Human Resources for referral to the appropriate Vice President and the President. Efforts will be made to place the student in another course section.
- All instances of change in personal relationships, as it relates to this policy, must be reported to the Director of Human Resources.
- In all instances of possible nepotism, decisions will be referred to the President for recommendation to the Board of Trustees, for final approval of student placement.

Warren County Community College reserves the right to take action when personal relationships or associations of our employees, Trustees or Foundation Directors impact our mission, ethics or operations.

Approved 2/27/13  
Revised: 12/19/18  
Reaffirmed: 04/12/25

## **202.4 REAPPOINTMENT NOTICE**

### **Full-time Exempt Staff Employees (Non-Faculty)**

Executive, Administrative, Professional, and Paraprofessional (Exempt) staff employees, whose qualifications generally require, at a minimum, a Baccalaureate degree, may be appointed by the Board of Trustees for one-year terms for five consecutive academic years. The academic year shall be defined as July 1 to June 30. Those eligible exempt staff (non-faculty) employees whose initial appointment is after July 1, but before October 1, shall have a contract term running from the date of appointment to June 30 of the following year with said appointment being considered as one full year of academic service. Those eligible exempt staff (non-faculty) employees whose initial appointment is after October 1 shall have a contract term running from the date of appointment to June 30, with said appointment not being considered as a full academic year of service to be counted towards consecutive years of employment.

All Exempt staff employees who are serving under one year contracts and who have not performed five consecutive years of service shall receive written notification from the President of the College by April 1 indicating whether or not the employee shall be reappointed to a succeeding one year contract. This written notification shall constitute sufficient notice regardless of any inaction by the Board of Trustees.

After an Exempt staff (non-faculty) employee's fifth consecutive academic year of service, upon written recommendation from the President of the College to the Board of Trustees, said employee shall be eligible for, but not entitled to, reappointment by the Board of Trustees to a one-year term as well as to a multi-year term of two to five years. The College shall notify the eligible employee by December 31 of the fifth consecutive contract year of the determination to reappoint or non-reappoint and, if reappointed, of the duration of said reappointment.

Subsequent to the fifth consecutive contract year of service, eligible employees who are appointed to one-year contracts shall be notified of reappointment or non-reappointment to a succeeding contract by December 31 of each academic year.

Executive, Administrative, Professional, and Paraprofessional staff employees who are appointed to multi-year contracts from two to five years shall be notified of appointment or non-reappointment to a succeeding contract one year before the expiration of such contracts.

Reappointment of any Exempt staff employee can only be done as an overt act (vote) by the Board of Trustees. Failure of the Board of Trustees to act by a specified time shall not result in an automatic contract renewal. It is the responsibility of the President to notify the Board of Trustees in a timely manner when such action is required.

Exempt staff employees serving under a multi-year contract may be assigned by the President of the College to any professional position within their competence during the term of the contract. Their

salary may not be reduced during the duration of the contract below that which they would have received had they continued in their original position. They may be dismissed from the College during the term of the contract only for cause consistent with appropriate statutory provisions.

A formal procedure for considering and approving the offering of multi-year contracts and for determining whether the length of such contracts shall be two, three, four, or five years shall be established. This procedure should encompass a thorough review of all personnel records, including the report of regular, systematic, and formal evaluations conducted during the employment of the individual.

Approved: 11/03/97  
Revised: 07/30/04  
Reaffirmed: 9/8/10  
Revised 12/10/15  
Reaffirmed: 02/13/19

## **202.5        NEW EMPLOYEE SALARY PLACEMENT**

### Salary Placement:

New employees shall be placed at salary levels within salary ranges approved by the Board. Such levels shall reflect sound competitive practices and shall attempt to provide equitable treatment for all staff members. The hiring Department Head will meet with the College President. The College President shall determine the starting salary for all new employees, based upon a review of the applicant's qualifications.

A specific hiring range for staff positions shall be established by the President or his/her designee and will be reviewed periodically as appropriate, by the Committee on Policy and Planning.

Approved: 07/26/85  
Revised: 11/18/09  
Revised: 11/10/15  
Reaffirmed: 02/13/19

## **202.6        STAFF EVALUATION AND SALARY INFORMATION**

Written evaluations of non-faculty personnel will be completed annually.

Employee compensation adjustments shall be made upon recommendation of the President and approval by the Board of Trustees.

Full-time (non-faculty) employees may be considered for a salary increase every 12 months, effective July 1<sup>st</sup>, unless the Board decides otherwise. The amount of the salary increase, if any, will depend upon such factors as the quantity and quality of the staff member's performance, the competitiveness of the marketplace, the salary range for the position, and Warren County Community College's

financial condition. Full-time (non-faculty) employees with less than one year of service may be considered for a salary increase on their one year anniversary date, at the discretion of the President.

Approved: 07/26/85  
Revised: 11/18/09  
Revised: 11/10/15  
Reaffirmed: 02/13/19

## **202.7 HOLIDAYS**

Holidays will be established on a fiscal year basis and adopted annually by the Board of Trustees no later than their regular meeting in June.

Revised: 07/27/01  
Revised: 09/08/10  
Revised: 04/12/17  
Reaffirmed: 04/02/22

## **202.8 LEAVES OF ABSENCE**

### Sick Leave:

In an effort to protect eligible employees and their families against loss of income, Warren County Community College provides paid sick leave for its eligible employees consistent with the New Jersey Paid Sick Leave Act (A-1827), effective October 29, 2018.

Employees are provided time off with pay in case of an absence due to illness, injury or as outlined in the Act.

Regular full-time employees accrue a total of 12 days (90 hours) per year. Sick leave will be front-loaded each July 1 or on the first of the month following the date of employment and prorated for the remainder of the fiscal year.

Full-time faculty with ten-month contracts would accumulate ten days (75 hours) of earned sick leave annually. Full-time faculty on 12-month contracts would accumulate twelve days annually.

All full-time employees may carry-over unused sick leave annually each fiscal year.

Adjunct Instructors will earn sick leave based on the number of credit hours taught per semester:

1 credit = 15 hours worked;	7 credits = 105 hours worked;
2 credits = 30 hours worked;	8 credits = 120 hours worked;
3 credits = 45 hours worked;	9 credits = 135 hours worked;
4 credits = 60 hours worked;	10 credits = 150 hours worked;
5 credits = 75 hours worked;	11 credits = 165 hours worked;
6 credits = 90 hours worked;	12 credits = 180 hours worked.

All other eligible employees will earn one (1) hour of earned sick leave for every thirty (30) hours worked. The maximum accrual, usage and carry-over allowed in a fiscal year (July 1-June 30) will be forty (40) hours.

Earned paid sick leave will begin to accrue on October 29, 2018 or upon date of hire for a new employee. Usage of earned paid sick leave may begin 120 days from the inception of the Act (February 26, 2019) or 120 calendar days from a new employee's date of hire.

Casual employees who work less than four (4) hours per week are not eligible for paid sick leave.

Employees who will be absent must contact their supervisor at least one hour prior to their regular starting time, if possible. If an employee's need to use earned sick leave is foreseeable, seven (7) calendar days notice is required, prior to the date of the leave to begin, including the intention to use leave and its expected duration. Employees will make a reasonable effort to schedule the use of earned sick leave in a manner that does not unduly disrupt the operations of the College.

A physician's note will be required by the Office of Human Resources, after three (3) consecutive days of absence from work or by request of the College Administration.

There is no payment for unused sick time at the time of separation, unless expressly stated in an employment or association contract.

Bereavement:

A full-time employee shall be entitled to bereavement leave in the event of death in the immediate family (father, mother, sibling, spouse, children, step-children, grandparents, grandchildren, parents-in-law, or regular member of the household). Such leave may be up to 5 working days following the date of death to permit the employee to attend the funeral and arrange for other related matters. In the event of the death of a member of the employee's family other than those previously listed, employees shall be entitled to one full day to attend the funeral.

Personal Time Off:

Consistent with efficient college operations, employees may be granted up to 3 personal days per fiscal year to arrange for personal matters or religious holidays. Such leaves require advance approval by the employee's immediate supervisor. All requests for personal leave are not automatically granted. Personal days will be prorated as appropriate. Personal days must be used by the end of the fiscal year or forfeited.

Unpaid Leaves of Absence:

At the discretion of the College, an employee may be granted an unpaid leave of absence of up to one year. The employee must receive approval of the President for any unpaid leave. Employees on unpaid leave are not eligible for incremental pay raises. Vacation and sick day accrual will be suspended during this unpaid leave.

Employees returning from unpaid leave shall be granted the same or similar job as held prior to leave insofar as circumstances permit.

All benefits required by law will be continued. Employees may have the option of paying for certain benefits where applicable.

Family Leave:

Refer to Policy 201.12.

Vacation Policy:

Executive, Administrative, Professional, and Paraprofessional

Executive, Administrative, Professional, and Paraprofessional full-time employees shall accrue vacation at the rate of 20 working days per year.

Full-time support employees shall earn vacation based upon the following schedule:

Up to 5 years of service	10 days per year
5 years to 12 years	15 days per year
Over 12 years of service	20 days per year

Vacation time will be front-loaded each July 1 or on the first of the month following the date of employment and prorated for the remainder of the fiscal year.

Request for vacation time must be made in writing in advance of the requested time off and submitted to the supervisor for approval. Paid vacation time must be earned before it is taken, unless otherwise approved.

Vacation can be accumulated from one year to the next up to a maximum of 20 days with the written approval of the President. Any unused vacation time beyond 20 days will be forfeited, unless approved by the Board of Trustees for up to a 90-day extension.

Payment of approved unused vacation time will be paid at the time of separation.

The College will try to honor an individual's preference for vacation time. However, since this may not always be possible, the College will attempt to grant vacation time as near to the original request as possible. All requests for vacation time are not automatically approved.

Staff employed through external funding sources, such as grants, must take any earned vacation or personal days before the end of the grant or the termination of the employment contract, whichever comes earliest.

Military Leave:

A. Military Leave without pay shall be granted in accordance with state and federal laws and regulations.

**Jury Duty and Witness Duty:**

All regular full-time employees will be granted a paid leave of absence when they are summoned to serve on a jury panel or appear as a witness in a judicial or administrative proceeding. All other employees will receive unpaid leave. Also, subject to the provisions of N.J.S.A. 18A:16-6 ("Indemnity of officers and employees against civil actions"), and N.J.S.A. 18A:16-6.1 ("Indemnity of officers and employees in certain criminal actions") witness leave will be unpaid if the employee is either a plaintiff or a defendant in the case.

The supervisor should be notified as soon as possible by presenting him/her with the jury duty or witness summons.

Employees must submit proof of attendance for the duration of the leave.

In the event an employee is excused from jury duty, he/she is expected to contact their supervisor.

**Disability Benefits:**

In an effort to protect employees and their families against loss of income due to an extended non-work related illness or injury, Warren County Community College contributes toward disability benefits to all eligible employees in accordance with state law.

**Worker's Compensation:**

Employees are protected in accordance with the Worker's Compensation Law for any injuries or illness arises out of, and in the course of, employment. Employees must immediately report any injury or illness to their supervisor who will have the necessary forms completed.

**Social Security:**

Both employees and the College contribute to a government fund to provide for their future retirement benefits (FICA) and Medicare. Contributions are deducted from each paycheck. The College matches these contributions in providing these benefits to you.

**Meal Period:**

An unpaid lunch period of one-half hour is provided. Meal periods are scheduled in conjunction with the supervisor.

Revised: 06/30/10  
Revised 05/16/15  
Revised 02/14/18  
Revised: 02/13/19

## **202.9        HEALTH INSURANCE BENEFITS**

Warren County Community College shall provide health insurance coverage to all eligible full-time employees who work at least 30 hours per week and their eligible dependents. All eligible employees will pay a percentage of base salary or a percentage of the health premium, based on their health plan enrollment, toward the cost of health insurance, as defined by NJ statute. Employees who are eligible for other health insurance may waive their WCCC health insurance coverage and receive a healthcare waiver in an amount approved by the Board of Trustees. However, if an employee's other insurance is also part of a NJ State Health Benefit plan, they are not eligible for the waiver. The College reserves the right to determine in which health insurance programs it wishes to participate.

Approved: 09/24/84

Revised: 11/16/11

Revised: 11/16/21

## **202.10      RETIREMENT PLANS**

Employee pension plans, including the employee eligibility requirements for each plan, are governed by NJ statutes and the NJ Division of Pensions & Benefits. The following programs are offered:

- Public Employee Retirement System (PERS) – All eligible employees will be enrolled into the PERS. Contributions are made by the employer and employee as required by law and state regulation.
- Defined Contribution Retirement Plan (DCRP) – All eligible employees will be enrolled into the DCRP. Contributions are made by the employer and employee as required by law and state regulation.
- Alternate Benefit Program (ABP) – All eligible professional employees working in State approved education/academic titles will be enrolled into the ABP upon hire. Contributions are made by the employer and employee as required by law and state regulation.

Approved: 09/24/82

Revised: 6/30/10

Revised: 9/13/17

Reaffirmed: 06/22/22

## **202.11      TUITION WAIVER**

All full-time employees and their legal dependents (as defined by the IRS), all permanent part-time and Adjunct Instructor employees may enroll on a seat available basis in credit program offerings provided directly by Warren County Community College at no tuition or general fee charges. This policy excludes employees under a contractual relationship with the College, such as the Warren County Fire Academy and Technical School. Non-credit, third-party vendor courses are not covered under this policy. Those eligible under this policy will be responsible for lab fees, material fees,

textbooks and related expenses. Such enrollment will not count towards the minimum necessary to offer the course.

Eligible employees and dependents will receive a tuition and fee waiver to support a single Associate's Degree. Waivers will not be provided for any repeated courses at WCCC due to grades, withdrawals and/or non-attendance. All waiver recipients must meet Satisfactory Academic Progress standards.

A student seeking a tuition waiver must submit an application to the Office of Human Resources, which will certify eligibility for the waiver. In the event that the student also is eligible for federal, state, institutional and/or private grants or scholarships, the grants/scholarships will be applied first to tuition. If the student's grants and/or scholarships exceed the tuition charge, the student will not be entitled to a tuition waiver.

All individuals seeking an employee tuition waiver must register in-person with an advisor in the Office of Student Services no earlier than two-weeks after the opening of student registration for the semester. Persons already holding at least an Associate's Degree will not be eligible to receive tuition waiver for a degree program through WCCC but will be eligible to receive a waiver for one 3-credit enrichment course per semester. Nothing in this policy shall preclude the College from providing employee tuition waivers for any college required training/retraining classes.

Approved: 02/02/85  
Revised: 01/13/10  
Revised: 12/17/14  
Revised: 05/18/19  
Revised: 09/15/21

## **202.12 OFF CAMPUS WORK LOCATION**

Recognizing the changing nature of what constitutes the workplace, professional (non-faculty) staff, upon the written recommendation of the Vice President or other appropriate administrator, and with the approval of the President, may work at a location other than the College when such an assignment is in the best interests of the College.

All college employees may be assigned to work at any facility owned, leased, shared by or provided for use by Warren County Community College. Such assignment(s) shall be made by the President or designee, as appropriate to accomplish the College's mission.

Upon approval of the President, staff may be allowed to work at locations not covered above.

Reaffirm: 08/25/04  
Revised: 11/17/10  
Reaffirm: 09/13/17  
Reaffirm: 06/22/22

## 202.13 DONATED LEAVE PROGRAM

### **Summary**

The Donated Leave Program permits employees to voluntarily donate portions of their earned sick and/or vacation time to another employee who has exhausted his/her own earned leave time and who either a) is suffering from a catastrophic illness or injury that necessitates a prolonged absence from work by the employee or b) must provide care to a member of his/her immediate family who is suffering from a catastrophic health condition or injury.

The recipient of Donated Leave must have exhausted all accrued leave time including sick leave and vacation leave. An employee receiving donated leave shall not receive temporary disability benefits for the same period of time that he/she is paid wages from donated sick and/or vacation time.

Medical documentation concerning the nature and anticipated duration of the catastrophic illness or injury must be submitted to Human Resources. If the employee is deemed eligible to receive donated leave, a notice will be posted throughout the College to request donation of leave time from fellow employees.

#### **I. Purpose**

To establish a College-wide program which permits employees to **voluntarily** donate portions of their **earned** sick and/or vacation time to other employees who have exhausted their own earned leave time, and who are suffering from a catastrophic illness or injury which necessitates the prolonged absence from work by the employee, or is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury.

#### **II. Recipient Eligibility**

1. The recipient must be a full-time employee who has completed at least one year of continuous College service.
2. The recipient or the immediate family member must be suffering from a catastrophic illness or injury in which necessitates the employee's prolonged absence from work and for which the employee has no availability of paid leave. (The definition of immediate family member shall cover members recognized as such under the federal FMLA program.)
3. The recipient must have exhausted all accrued leave time including sick leave and vacation leave.
4. An employee receiving donated leave shall not receive temporary disability benefits for the same period he/she is paid wages from donated sick and/or vacation leave.

#### **III. Donor Eligibility Guidelines**

1. An employee may donate leave time only in whole days
2. An employee must have remaining to his/her credit after the donation at least 20 days of accrued sick leave if donating sick leave and at least 10 days of accrued vacation leave if donating vacation leave.
3. An employee may not solicit any money, credit, gift, gratuity, thing of value, or compensation of any kind in exchange for the donation.

#### **IV. Procedures**

1. Any eligible employee may participate in this program as a leave recipient or donor by contacting Human Resources and completing the required forms.
2. Medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the catastrophic illness or injury must be submitted by the employee or supervisor requesting participation on behalf of the employee as a recipient. Decisions regarding eligibility will be made on a case-by-case basis by the President or his/her designee.
3. Once a recipient is approved for the program, Human Resources will send an "all personnel" notice indicating the name(s) of eligible employee(s) who will have exhausted all earned paid leave time by a designated date. The posting will be done only with the recipient's consent. If the employee is unable to consent, a member of the employee's immediate family may consent on behalf of the employee.
4. The donor and the recipient (or family representative, if the employee is incapacitated) will fill out the required form(s).
5. No one shall directly or indirectly intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to contributing, receiving, or using paid leave under this program. The above shall include promising to confer or conferring any benefit (such as appointment, promotion, or compensation) or effecting or threatening to effect any reprisal (such as deprivation of an appointment, promotion, or compensation). Any employee who engages in the above prohibited conduct shall be subject to disciplinary action.
6. The donor's leave time will be reduced permanently by the number of days that are to be donated.
7. A leave donor **cannot revoke** the leave donation. However, if there is any unused donated time for a recipient, the leave will be prorated back to the leave donors in hours based on the amount of time donated.
8. Recipients will not be permitted to "bank" unused donated time.
9. Donations may not be used on a retroactive basis.

10. The eligible recipient's leave time will be credited with the donated time indicating the donor. The recipient may receive days from more than one donor, but may not use a **total** of more than 180 days in his/her lifetime at the college.
11. Issues arising out of the administration of the program are neither grievable nor arbitrable.

Revised: 09/24/04  
Reaffirmed: 09/13/17  
Reaffirmed: 12/15/2022

## **202.15 APPOINTMENT OF ADJUNCT FACULTY**

The employment of all adjunct faculty members is subject to the provisions of WCCC Board policies, administrative policies, and other applicable laws, regulations, and agencies, whether now or hereafter existing.

Adjunct faculty will be selected on the basis of training, experience, professional attitude, and ability to work with others. Selection and appointment of adjunct faculty will also be subject to all prior and subsequent employment conditions as established by the Board. The Board shall approve adjunct faculty on a semester by semester basis prior to the start of the semester.

Applications will be screened by Human Resources to determine those applicants who meet the minimum qualifications (defined by Masters' Degree or equivalent) to be invited for an initial interview. Effective July 1, 2015, as part of the review of minimum qualifications, the following academic achievement should be considered, shared with the area chair and reviewed with the Vice President of Academics and the President prior to an interview:

Candidate Undergraduate Cumulative GPA:	3.00
Candidate Undergraduate Major GPA:	3.25
Candidate Graduate Cumulative GPA:	3.50

Exceptions to these minimums may be acceptable but must be reviewed with the President prior to appointment.

All initial Adjunct Instructor appointments will be approved by the Board. In no instance shall an Adjunct's teaching assignment exceed 12 credits per semester.

Upon acceptance of appointment, Adjunct faculty will be expected to meet regularly scheduled classes in accordance with catalog and course descriptions, maintain student attendance and grading records, be available to assist students, attend all scheduled faculty orientation programs, and comply with the approved policies and procedures of the College for Adjunct Instructors. Attendance at Academic Affairs or Area Chair meetings may also be required.

Adjuncts who will be teaching a Distance Education, Independent Study, or Internship course or courses having low enrollment, may have their pay pro-rated to reflect actual student enrollment, in accordance with College policy.

The College reserves the right to cancel or reassign a course for any reason. If a class is cancelled, Adjuncts will be paid on a pro-rated basis for hours actually taught, and the College's obligation shall cease. Adjunct Instructors will be notified as soon as possible regarding the status of their teaching assignment.

Adjunct appointments are limited and temporary and for purposes of adjunct instruction only, create no commitment on behalf of the College for future employment. An Adjunct appointment does not provide eligibility for tenure, irrespective of the hours taught or classes assigned. Employment may be terminated with or without cause at any time for any purpose.

Approved: 02/02/85

Reaffirm: 08/25/04

Revised: 11/10/15

Reaffirmed: 11/07/2018

Revised: 02/10/21

## **202.15.1 APPOINTMENT OF ADJUNCT SENIOR PROFESSORS**

Adjunct Instructors who best exemplify teaching excellence and service to the College can apply for designation as an Adjunct Senior Professor. Adjunct Faculty receiving such designation will receive payment for their teaching at the prevailing full-time faculty, full professor overload rate. This designation, however, shall be subject to the following provisions:

1. An Adjunct Faculty member may only apply after completing a minimum of four (4) fall or spring semesters of teaching at Warren County Community College.
2. The Adjunct Faculty member must submit a letter of application either in September or January, to the Vice President of Academics. The letter must include their rationale for applying for the Adjunct Senior Professor designation and must address teaching excellence and college service.
3. Each applicant must be observed in the classroom by both the President and the Vice President of Academics. In addition, an interview with the President may take place.
4. The determination of this new adjunct title will be awarded at the sole discretion of the President. The title and monetary compensation will begin the following academic semester, after approval.

An annual observation will be conducted to ensure that the individual maintains a high quality of teaching excellence and college service. The Adjunct Senior Professor rate may increase each year based on the full-time, full professor overload rate as expressed in the current contract. Failure to maintain a high status of

teaching and service, may result in a reduction in status and compensation to that of a regular adjunct faculty position.

Approved 11/10/15  
Revised 6/28/17  
Revised: 6/21/23

## **202.15.2 APPOINTMENT OF FULL-TIME EMPLOYEES TO ADJUNCT TEACHING ASSIGNMENTS**

WCCC relies not only on faculty and adjunct faculty, but also "Teaching Administrators" and "Full-time Administrators" to teach credit courses. This policy provides clarification and codification of practices related to teaching assignments for both categories of employees.

### Teaching Administrators

"Teaching Administrators" have teaching responsibilities outlined in their job descriptions that call for up to 12 credits in-load teaching per semester along with other job duties as part of their "administrative" function(s). To ensure that the teaching administrator has sufficient time within their schedule for both teaching and administrative duties, the following guidelines shall be used:

- 1) Teaching administrators may teach with the permission of their supervisors and shall work out a schedule for such teaching to the benefit of both parties.
- 2) Since teaching is part of the work duties of teaching administrators, teaching administrators shall only receive additional payments (overload) if more than 12 credits are taught during the fall or spring semesters (or 6 credits over the summer term) or classes taught outside of normal working hours.
- 3) Overload payment shall be equivalent to the senior adjunct rate. Contract payments shall be calculated based on the final class enrollment of "chargeable students" (i.e., excluding those on employee or senior citizen waivers). Any payments for smaller classes under seven students shall be prorated on the same basis as faculty and adjunct contracts. The College reserves the right to make scheduling adjustments or to cancel classes as necessary.
- 4) All contracts for Teaching Administrators must be approved not only by the employee, Academic Vice President, and the President, but also the employee's supervisor.
- 5) All contracts for Teaching Administrators must be reviewed by the Director of Human Resources before they can be forwarded to the Payroll Office for processing. No contract is considered finalized until all signatures are received.

### Full-time Administrators

The College realizes that Full-time Administrators can add benefit to the instructional portfolio of Warren County Community College. However, because of a concern that Full-time Administrators have significant workloads, it is important that the following guidelines be followed, consistent with the practice observed through the teaching contracts for all other employees.

- 1) Full-time Administrators may teach with the permission of their supervisors and shall work out a schedule for such teaching for the benefit of both parties.
- 2) Full-time Administrators seeking any compensation for such teaching must either teach in the evenings, on-line or on weekends.

- 3) Understanding that a number of courses must be offered during daytime periods or that last minute substitutions may be needed, it may be necessary for administrators to teach during normal work hours. In these circumstances, an employee must propose a weekly schedule for the semester to demonstrate that they are able to cover both full-time and adjunct teaching work and append it to a contract document.
- 4) All contracts for full-time employees must be approved not only by the employee, Academic Vice President, and the President, but also the employee's supervisor.
- 5) Senior Executives (President, Vice President or similar title) must also get the approval of the Board of Trustees for any credit or non-credit compensated teaching duties through an Executive Contract. The Chair of the Board or Board Designee shall sign Executive Contracts.
- 6) Overload payment shall be equivalent to the senior adjunct rate. Contract payments shall be calculated based on the final enrollment of "chargeable students" (i.e., excluding those on employee or senior citizen waivers). Any payments for smaller classes under seven students shall be prorated on same basis as faculty and adjunct contracts. The College reserves the right to make scheduling adjustments or to cancel classes as necessary.
- 7) All contracts for Full-time Administrators must be reviewed by the Director of Human Resources before they can be forwarded to the Payroll Office for processing. No contract is considered finalized until all signatures are received.
- 8) Nothing hereinabove shall deter employees who may wish to volunteer time towards teaching without compensation, as long as it is this approved by the supervisor.

Approved: 12/13/23

## **202.16      FACULTY RECRUITING, APPOINTMENTS AND PROMOTION**

Guidelines for Qualifications for Faculty Rank:

To ensure that Warren County Community College is able to meet its standards for academic excellence, the College will consider the following when making initial appointment and subsequent promotions. These factors are not an all-inclusive list of the considerations that are weighed in making such decisions.

<u>RANK</u>	<u>EDUCATION</u>
Instructor	Master's Degree or equivalent experience/or certification in cognate area.
Assistant Professor	Master's Degree plus 15 acceptable doctoral level credits or equivalent experience or certification.
Associate Professor	Master's Degree plus 30 acceptable doctoral level credits or equivalent experience or certification.

Professor Doctorate, Professional or terminal degree or equivalent experience or certification, or extraordinary excellence in the academic community.

A candidate is not automatically entitled to placement in the top rank for which his/her academic and experience credits make him/her eligible. The President may recommend employment at any rank at or below the level of the noted qualifications.

Further clarification spelled out in current faculty contract.

Applications will be screened by Human Resources to determine those applicants who meet the minimum qualifications (defined as Masters' Degree or equivalent) to be invited for an initial interview. Effective July 1, 2015, as part of the review of minimum qualifications the following academic achievement should be considered, shared with the search committee and reviewed with the President prior to an interview:

Candidate Undergraduate Cumulative GPA: 3.00  
Candidate Undergraduate Major GPA: 3.25  
Candidate Graduate Cumulative GPA: 3.50

Exceptions to these minimums can be granted, but must be reviewed and explained to the Board of Trustees prior to initial appointment. The Board of Trustees, upon recommendation of the President, shall appoint faculty in accordance with this policy and any agreements with the Warren County Faculty Association.

These minimum academic qualifications should also be strongly considered by the President, but may be waived by the President based on other demonstrated qualifications, as part of any faculty promotional (i.e., movement from one rank to another) request. This is the minimum required to fulfill “Professional Growth” expectations. Any variance from the minimum educational requirements and GPA requirements must be reported and shared with the Board of Trustees with the Presidential Recommendation for promotion.

Search procedures will follow Board Policy 202.2.

Approved: 02/24/89  
Reaffirmed: 09/08/10  
Revised: 03/10/15  
Revised: 12/18/19  
Revised: 02/10/21

## 202.17 FACULTY TENURE PLAN

The WCCC Board of Trustees adopts the following revised tenure plan:

- A. With the exception of teaching administrators, full-time instructional faculty of the College shall be eligible for tenure within a discipline or program area.
- B. A reappointment conferring tenure will be offered only to faculty members who possess an appropriate degree in the relevant discipline or its equivalent.

C. WCCC will award tenure after presentation of positive evidence of excellence in teaching, scholarly achievement, contributions to the College and community, and fulfillment of professional responsibilities. Tenure will not be awarded solely because negative evidence is not presented. Tenure decisions will be made according to the following procedure for faculty entering their fifth year of employment as defined by Title 18A 60-8 prior to the academic year: (Dates in parenthesis are for any faculty member whose original appointment commenced with the spring semester).

1. A Faculty Tenure Committee shall be established by the Chief Academic Officer (CAO) by October 1 (February 15). The Faculty Tenure Committee shall consist of five (5) tenured faculty members elected by secret ballot by the full-time faculty with at least one representing the discipline or closely related discipline of the candidate(s) and a member of the academic administration. In the event that there are no tenured faculty members in the candidate's discipline or a closely related discipline, (e.g. Auto Technology), faculty members from other institutions may serve on the committee provided that they are experienced in the faculty evaluation process.
2. Faculty will submit to the CAO by October 1 (February 15) a portfolio which contains evidence of continuous effective teaching, to include, but not limited to, copies of curriculum vitae, course outlines, exams, classroom evaluations, measures of student learning outcomes, institutional research, and student evaluations of teaching skill by the Office of CAO. The portfolio must also contain a narrative written by the applicant which discusses the aforementioned documentation and which addresses how his/her presence as a tenured faculty member will permanently enhance the institution. The narrative should address in a holistic manner the areas outlined below:
  - a. Excellence in teaching and innovation in classroom methodology, demonstrated primarily through effective outcomes assessment of student learning.
  - b. Professional development and scholarly achievement as demonstrated through conferences and workshops attended, graduate courses taken, publications, exhibitions, presentations or involvement in professional associations.
  - c. College service such as non-compensated committee work, advising, mentorship, activities and involvement with peers and/or students, or contributions to campus life beyond instructional, scholarly or community activities.
  - d. Service and/or outreach activities to the Warren County community, which brings the College to the community in a positive and constructive manner and demonstrates that the presence of the faculty person enriches not only the College but the community as a whole.
  - e. Contributions to the department and/or division such as grant proposals, the development of new courses and/or curriculums, etc.
  - f. Other relevant material such as letters of commendation, documentation of activities with students, and evidence of professional improvement should be included in the portfolio.
3. The Faculty Tenure Committee:

- a. will review and assess application materials and will pass upon eligibility of applicant(s) for tenure;
  - b. request additional data from the applicant, if deemed necessary, to further strengthen the portfolio;
  - c. conduct classroom observations;
  - d. interview the candidate;
  - e. conduct final review of all materials and request additional items deemed necessary from the candidate;
  - f. vote by secret ballot whether to recommend tenure. (The tally will remain confidential); and
  - g. a recommendation for or against tenure will be forwarded to the CAO by December 31 (June 15).
4. The CAO will review the recommendations of the Faculty Tenure Committee. In the event of non-recommendation for Tenure by the Faculty Tenure Committee, where the CAO concurs, the CAO will state the Committee's reason(s) for denial, in writing, to the individual involved. In the event there is not sufficient positive reason(s) for the CAO to recommend tenure for an applicant who has been recommended by the Faculty Tenure Committee, the CAO will state his/her reason(s) for non-recommendation to the individual involved. The CAO's letter, in either case, must be delivered to the individual no later than February 1 (June 30). A copy of the letter will be forwarded to the President.
5. In the event of non-recommendation by the Faculty Tenure Committee where the CAO feels that there is/are sufficient positive reason(s) for further recommending the applicant, the CAO will process as in "g" herein, but must also include the recommendations of the Faculty Tenure Committee and inform the Faculty Tenure Committee, in writing, of the decision to bring the recommendation to the President.
6. The CAO will forward to the President, by February 15, (September 1) the recommendations of the Faculty Tenure Committee, any minority reports, as well as his/her recommendations for or against tenure, including a rationale and supportive evidence for either decision.
7. The President will review the entire portfolio, consider all evidence stated therein and present to the Board of Trustees his/her recommendation to either grant or deny tenure before April 1. If the President decides not to recommend the applicant for tenure, he/she will so inform the individual involved, in writing, by April 1, (November 1) stating the reason(s) for the failure to recommend.

Approved: 02/28/92  
Revised: 09/24/04  
Reaffirmed: 09/8/10  
Revised: 2/17/13  
Revised 11/7/18

## 203 SOCIAL MEDIA POLICY

This policy governs employees of the Warren County Community College (the “College”) who utilize a variety of social media technologies. It is not limited to any specific media format. The College recognizes and supports the principles of academic freedom and the First Amendment rights of employees to speak on matters of public concern as private citizens through social media. This Policy establishes the responsibilities of employees regarding the use of existing and emerging social media communication platforms and technologies.

### **Social Media Defined:**

For the purpose of this policy, social media is defined as any internet or mobile digital technology and systems used to share and/or receive information or conversation including, but not limited to, Facebook, Twitter or X, Instagram, YouTube, Google, LinkedIn, Snapchat, Flickr, Pinterest, TikTok and other similar social media platforms. This policy is intended to cover public social media (as opposed to College media such as a Learning Management System). Use of College media is covered under the Technology Use Policy (Policy 312).

### **Social Media Personal Site Guidelines:**

The College respects the individual rights of its employees to participate in social networking activities. The College also recognizes its responsibility to communicate to employees the professional risks associated with participation in a non-work related social networking. If an employee enters into an interaction on social media, the employee risks being exposed to public reaction that may call into question his/her integrity and professionalism. Therefore, it is the position of the College to encourage faculty and staff to exercise caution when participating in social networking.

Below are some key guidelines to assist employees in using Social Media:

1. Employees should remember that the public may judge the College based on the utterances of an individual employee. Hence, employees, when participating in the use of social media, should attempt at all times to be accurate, exercise appropriate restraint, show respect for the opinion of others, and not subject the College to public embarrassment or negative attention.
2. The College’s mission is to serve the Warren County region. An employee who strongly disparages the students, employees, or citizens served by the College can impair the College’s ability to carry out its mission. Employees must recognize that members of the public may not necessarily distinguish between an employee’s employment with the College and personal views on social media. Therefore, individuals must act judiciously when posting information or materials about the College or the local community.
3. Employees should be aware that they may be held legally liable for what is posted on their own site and on the sites of others. Conversely, the College cannot be held liable for the utterances of an employee acting without the expressed written approval of the College.
4. Unless posting on social media during paid working hours is part of an employee’s employment assignment, an employee shall not undertake social media activity during paid work time.

5. The College email addresses are intended solely for College business. Employees shall not use their College email address for any non-College related commercial or social media activities unless it has been pre-approved by the College.
6. Employees shall not publish confidential materials of the College, or any of its employees or students, on social media.
7. Employees shall use only official College communication networks to conduct College business. The use of the College name, logo or image to advertise events or to solicit business on social networks is prohibited without prior written consent of the College.
8. Employees are free to endorse whatever product, cause or political party that they desire, as long as such endorsement does not have the appearance that it is related to the employee's employment or affiliation with the College. The use of the College name to promote or endorse any product, cause or political party or candidate is prohibited.
9. The lines of professional and personal relationships can become blurred on social media. Communication on social media with other employees and students, has the potential to create confusion regarding the role of the employee who is posting or commenting on information. Employees are required to ensure that they maintain a professional relationship on social media with students and colleagues. Employees shall not open themselves up to possible complaints of a violation of College harassment, bullying, or intimidation policies based on an employee-student or employee-employee relationship.
10. Employees are advised to ensure that their social media activities reach the intended audience. The use of privacy settings can significantly reduce the possibility that a casual remark, joke, etc. is not misinterpreted by someone who was not intended to view the information.
11. Employees should be mindful that the posting of items anonymously does not necessarily guarantee future anonymity. An employee who posts patently malicious, false, misleading, or hateful comments may be held professionally liable for such speech should his/her identity subsequently be determined.

### **Prohibited Posts on the College's Social Media Platforms**

Comments on the College's Social Media Platforms that meet any of the following conditions are prohibited and are subject to removal:

1. Comments that are not related to the topic currently being discussed on the College's social media page.
2. Expressions of speech that constitute libel. Libel means speech that intentionally or negligently makes false statements about an individual, group, or entity that causes injury to his/her/its reputation; and speech that maliciously makes false statements about a public official causing injury to his/her/their reputation.

3. Expressions of speech that are obscene and not protected by the First Amendment. Obscenity means a depiction or description, in a patently offensive manner, or sexual conduct or excretory functions that, when taken as a whole, lacks serious literary, artistic, political, or scientific value or that the average person, applying contemporary local standards, would find, when taken as a whole, appeals to prurient interests.
4. Expressions of speech that constitute harassment or discrimination under New Jersey or Federal law or the policies of the College.
5. Expressions of speech that are directed to inciting or producing imminent violence or other breach of the peace and are likely to incite or produce such action.
6. Expressions of speech that reveal information protected from disclosure by federal or State law, including confidential student information, protected health information, confidential personal information, personal financial information, or confidential research data.
7. The use of film, photographs, logos, or other material that violates the copyright, trademark or intellectual property rights of the College or others.
8. Digital and audio recordings of live or online classroom instructions may not be published on Social Media without the prior written consent of the appropriate faculty member(s).

## **Violations**

The College respects the rights of its employees to act as private citizens. However, it cannot ignore legitimate employee, student or public complaints made about employee behavior off-campus and through social media. An employee should not assume that academic freedom or private speech rights inherent in higher education provide a “safe harbor” from any sanctions for egregious violations of this social media policy.

The College is required to follow up on any reports or information regarding suspected criminal behavior by one of its employees. Any employee conduct on social media that appears to be in violation of federal, state or local statutes is subject to investigation by either the College and/or law enforcement agencies.

The College reserves the right to review the content posted to any social media or webpage including those maintained in the name of or by the College and may review or cause the removal of any content that is found to violate this Policy or federal, State, or local laws. College employees who violate this Policy may be subject to disciplinary measures, consistent with the Employee Handbook and any applicable collective bargaining agreement, up to and including suspension, dismissal, and termination.

Approved: 06/24/15  
Revised: 06/26/19  
Revised: 6/22/24

## **204 TELEWORK, REMOTE WORK AND WORK FROM HOME POLICY**

## **General Telework, Remote Work and Work from Home Policy at WCCC**

There are no positions at WCCC that have permanent work from home assignments. With a small full-time staff, it is essential that all WCCC employees understand that their position at the College requires attendance in person at the workplace.

WCCC will not be adopting permanent flex, telework, remote work or work from home policies for its employees because of the small size of the organization. However, as in the past, the President will continue to be responsible for establishing any flexible summer schedule or determining emergency closings.

Nothing in this policy shall preclude the President from assigning short-term projects to be performed remotely, based on the needs of the students or College operations, or as permitted by Policy 202.12 entitled Off Campus Work Location.

### **Working from Home as a Reasonable Employment Accommodation**

All employees are entitled to request a reasonable accommodation if they need an adjustment or change at work for a reason related to a medical condition that meets the Americans with Disabilities Act of 1990 (the “ADA”) definition of “disability”. Working from home may be considered a reasonable accommodation for an employee’s disability. The College will consider all employee requests for a reasonable accommodation to work from home. Granting a “reasonable accommodation” to work from home for any period may be approved by the Board on a case-by-case basis. All requests for work from home accommodation must be supported by appropriate documentation, including but not limited to medical documentation. Any request to renew the accommodation may require an examination by a physician of the College’s choice.

Approval of such an accommodation is contingent on whether the employee is able to perform the essential functions of their position at home. Working from home may not be an available accommodation for certain positions whose essential functions can only be performed at the College. Individuals in such a circumstance may be granted a different accommodation and/or may need to seek disability benefits.

As part of a work from home accommodation, the employee’s supervisor and VP may establish an at-home work plan to guide the work done by the employee, including weekly expectations of work to be completed. Any employee approved for remote work must continue to meet their individual and department goals and objectives, as documented in their performance evaluations and personal plans. Job performance will be evaluated on current performance expectations and commitments established by the employee’s supervisor. Employees with a work from home accommodation are expected to be available during all scheduled work hours at their official home residence. Leaving the home residence during scheduled work hours, for non-emergency activities, represents leave time that must be pre-approved by the employee’s supervisor.

Working from home is not considered an accommodation for childcare needs, eldercare needs or the care for others in the household. Employees should seek FMLA or NJFLA leave if they have the need

to take care of others. Please contact the Director of Human Resources, Title IX/AA Coordinator for additional information on FMLA and NJFLA policies and options.

Any individual requesting a reasonable accommodation to work from home must contact the Director of Human Resources, Title IX/AA Coordinator for additional information to determine if working from home is a feasible accommodation for the employee's position. All accommodations to work from home must be approved by the Board of Trustees.

All applicable WCCC policies remain in place for work from home accommodations, as if working on campus. College-provided equipment and services are intended for business use and any use of College equipment and communication services must be in accordance with College policies. The College has the sole discretion to determine the type, nature, function and/or quality of electronic hardware, modems, data and telecommunications equipment provided. Work done at home or at other approved off campus sites is considered official WCCC business. All information stored on a College-owned device is the property of the College and subject to inspection at any time. The College reserves the right to review all materials stored or transmitted through College equipment at any time.

Employees working from home should be aware that any injury or accident occurring while working from home would not be covered under the College's insurance policies.

Approved: 09/15/21

Revised: 12/18/24

## **205. PROFESSIONAL DEVELOPMENT TO MEET INSTITUTIONAL NEEDS**

Given new and emerging fields in higher education, Warren County Community College may require employees, as a condition of employment, to engage in Professional Development, including advanced education, to meet the needs of the College. This may be different than tuition reimbursement as it is driven by the needs of the College, not the personal career needs of the individual. It may involve a course, several courses, or a degree necessary to meet college certification, accreditation, licensure, or industry standard requirements. While the College searches to find new employees to fill these voids, at times it may be very difficult to find candidates with appropriate qualifications or trained expertise. Therefore, providing an individual employee with professional development would be the most cost-effective solution for the College.

Some examples (but not an exhaustive list) of where Professional Development would be appropriate:

- Supporting an employee to attend a non-credit training program to maintain or obtain proficiency or a specific credential (an example might be attending an annual CPE course to allow WCCC to have a Certified Purchasing Officer).
- Requiring an employee to obtain a degree for teaching purposes in a field where the college is unable to hire a person with that necessary educational credential;
- Sending an employee to a training class to learn how to operate a specific piece of equipment or software;
- Sending an employee to specialized training to learn federal or state regulatory requirements (example: sending an employee to specialized training on ADA requirements or financial aid regulations).

Professional development in this case is discretionary on the part of the College and not considered to be a "right" of any employee (unlike a tuition waiver or tuition reimbursement). In the case of professional development, the following procedures shall be followed:

- 1) A supervisor will identify an area that an employee may require professional development after consultation with that employee.
- 2) The supervisor shall make a request to the appropriate Vice President and President for consideration.
- 3) Should the parties agree to such an arrangement, then the Professional Development shall be brought to the Board of Trustees for consideration.
- 4) If the Professional Development is approved, the Director of Human Resources will approve such an expense through Professional Development funds.
- 5) Any professional development for a degree program must be approved by the Board on an annual basis.

Approved:  
12/13/2023

## **CHAPTER III: STUDENT SERVICES POLICIES (300)**

### **301. STUDENT SERVICES**

#### **301.1 PURPOSE**

The purpose of Student Services is to provide services and programs that support the student's success in college study. These include recruitment, admissions, registration, academic advising, career advising, internships, college transfer planning and co-curricular activities.

Approved: 01/28/81

Reaffirmed: 11/01/04

Revised: 04/18/2018

Reaffirmed: 2/11/2025

### **302. ADMISSIONS**

#### **302.1 ADMISSION INTO CREDIT PROGRAMS**

Admission to Warren County Community College is available to all applicants who have graduated from a recognized high school, completed a secondary school education in a home school setting, earned a secondary school completion credential, or demonstrated an ability to benefit.

The College reserves the right to require the submission of official high school transcripts in order to verify previous education and/or the completion of course prerequisites. In addition, high school transcripts may be used to satisfy proof of immunization, standardized test results, or other information as required by state or federal governments. Students wishing to transfer in college credits must submit official transcripts from their prior college(s) indicating successful completion of their coursework in accordance with College standards for their academic program.

In order for the College to report data to federal and state agencies, including the Internal Revenue Service, students are required to report social security information on the official Warren County Community College application. This information is used solely for enrollment tracking and reporting as well as the reporting of possible tax credits to benefit students or their families. Students not wishing to disclose social security data may waive this requirement by submitting a Waiver of Social Security Information form with the Office of Student Services.

Students without either a high school diploma or a GED may be admitted to WCCC but are not eligible to receive federal financial assistance. These students will be evaluated based on their "ability to benefit." Applicants who are under eighteen (18) years of age and do not have a high school diploma or a GED must provide the following in order to attend classes held at the College:

- a) A signed Parental Permission Form
- b) A letter of Permission from a high school principal or designee (unless the student is home-schooled)

The Academic Vice President must approve the matriculation of any student under the age of 16.

Admission to the College does not ensure enrollment into any or all courses or programs. The College reserves the right to limit enrollment in any course or program of study. Selection criteria may be established for specific degree and certificate programs.

Admission to the College does not guarantee a student's right to financial aid. The College will adhere to all federal and state statutes relating to awarding financial aid and has established policies and procedures consistent with these governmental requirements.

Approved: 01/28/83  
Revised: 11/18/09  
Revised: 11/13/13  
Revised: 5/21/16  
Revised: 12/14/22

## **302.2        REGISTRATION**

The President or designee shall prescribe a period of registration for each semester and program along with a payment due date. Students must make payment arrangements by the payment due date in order to hold their course(s). Payment arrangements include: paying for the course in full, entering a payment plan; finalizing the student's financial aid package; or securing commitments from other governmental or private sources. Students registering after the payment due date must make payment arrangements within 24 hours of registration. The College may establish late registration or course reinstatement fees. Such fees will be approved by the Board of Trustees and published in appropriate college publications.

Students may "drop" one or more credit classes through the second week of the regular 15 week semester (commonly referred to as "10<sup>th</sup> day of the semester"). The drop period shall be prorated for shorter term courses (such as summer sessions or Powerpack classes). Add/drop records are not included in the student's permanent course record and will not appear on a college transcript.

After the 10<sup>th</sup> day, a student is considered to be permanently enrolled in a credit course. A permanent record will be kept for every student enrolled in a credit course regardless of matriculation status. Students may withdraw from a class after the 10<sup>th</sup> day, but their transcript and course history will reflect enrollment in the class. Course withdrawal periods are established in the Academic Calendar. All student records are subject to a Records Retention Schedule as prescribed by the College or governmental agencies. All student information shall be managed in accordance with federal regulations (i.e. FERPA requirements).

Approved: 01/28/83  
Revised: 11/18/09  
Revised 6/18/14  
Reaffirmed: 11/7/18  
Reaffirmed: 12/21/21

## **302.4 PROGRAMS FOR SECONDARY SCHOOL STUDENTS**

The Board of Trustees is committed to developing partnerships with the secondary schools in Warren County to provide an articulated educational program for students. A “dual enrollment” student may enroll in certain advanced high school classes that also qualify for College credit. Finally, students from participating high schools may take college courses at WCCC at reduced rates through special programs, such as the “Senior Option” program, currently offered by the College.

Approved: 03/24/95

Revised: 08/19/09

Reaffirmed: 11/1/2017

Revised: 11/7/2018

Reaffirmed: 06/18/25

## **302.6 FINANCIAL AID**

Financial Aid is assistance given to students in the form of grants, Federal Work Study, loans, and scholarships to help meet their educational costs while attending Warren County Community College. Warren County Community College will continue to actively participate and pursue federal, state, and local assistance programs and will abide by the rules and regulations of all programs.

Approved: 01/28/83

Revised: 11/01/04

Reaffirmed: 11/01/17

Reaffirmed: 02/0/8/23

## **302.7 STUDENT ENROLLMENT PROGRAM CATEGORIES**

The College recognizes the following enrollment categories of students on either a part-time or full-time basis:

(a) Matriculated: Students enrolled in programs of study leading to a degree, certification, or diploma.

(b) Non-matriculated: Students taking credit courses for personal interest, career advancement, enrichment, or transfer back to another institution.

(c) Non-credit: Student taking programs of varying lengths for which no credit is assigned, for purposes of personal enrichment, career advancement or professional continuing education.

Approved: 03/24/95

Revised: 11/01/04

Reaffirmed: 11/1/17

Reaffirmed: 09/14/2022

## **302.8 PART-TIME ENROLLMENT**

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

Approved: 03/24/95  
Revised: 08/19/09  
Reaffirmed: 11/1/17  
Reaffirmed 09/14/2022

### **302.10 ADMISSION TO NON-CREDIT COURSES**

Non-credit programs and courses designed to meet the training needs of local business and industry, government, and civic organizations, as well as technical and occupational training, preparatory and developmental instruction, and community education and public service programs are open for admission to individuals over sixteen (16) years of age with the exception of programs specifically designed for youth.

The College reserves the right to limit enrollment in any course or program. Selection criteria may be established for specific non-credit classes, courses and programs.

Approved: 03/24/95  
Revised: 11/18/09  
Reaffirmed: 11/1/17  
Reaffirmed: 12/14/2022

### **302.12 IMMUNIZATION REQUIREMENTS**

The State of New Jersey requires that all full-time, degree-seeking students at New Jersey colleges be immunized against measles, mumps, rubella, hepatitis B and meningitis or prove that they are exempt from this requirement. In accordance with the law, degree-seeking students will not be allowed to register beyond their first semester if they have not completed the New Jersey immunization requirement.

Approved: 11/01/04  
Revised: 08/19/09  
Reaffirmed: 11/1/17  
Revised: 06/26/21

## **303. TRUSTEE SCHOLARSHIPS**

On a "funds available" basis, Warren County Community College will provide Trustee Scholarships to students with high academic achievement and/or significant financial need. The College shall establish scholarship criteria and publicize the availability of scholarships. A Scholarship Selection Committee comprised of college employees shall review scholarship applications and make recommendations for the awarding of scholarships. The President shall make the final determination for scholarship awards and inform the Board of the scholarship recipients at an annual scholarship award ceremony.

Approved: 04/25/86

Revised: 12/15/04  
Reaffirmed: 11/1/17  
Reaffirmed: 06/22/22

## **304. STUDENT RIGHTS, RESPONSIBILITIES AND ACADEMIC CONDUCT**

### **304.1 WCCC STATEMENT OF RIGHTS AND RESPONSIBILITIES**

The primary responsibility of the College community is to create conditions that provide beneficial educational experiences and an atmosphere of civility for the rights and opinions of individuals or groups as long as such expression does not infringe upon the rights of others. The purpose of the statement is to list the provisions necessary to secure and respect conditions conducive to the freedom to learn.

Approved: 03/23/05  
Revised 03/23/16  
Reaffirmed: 12/16/20

### **304.2 WCCC STANDARDS OF ACADEMIC CONDUCT**

- A. Students are expected to attend every face-to-face or remote class meeting and participate as required in the course syllabus for distance education courses.
- B. Students are expected to be prepared for every class meeting and to make up any missed assignments.
- C. Students are obligated to extend to one another and to faculty civility and courtesy as members of the College community.
- D. Students have an obligation to conduct their academic activities honestly and conscientiously. They should:
  1. Follow the content and procedures as outlined in the course syllabus.
  2. Receive grades based on fair, unbiased evaluation instruments without regard to race, color, sex, sexual orientation, religion, age, military status, national origin, disability, marital status, or other protected classification.
  3. Submit work on time as determined by the instructor.
  4. Give appropriate recognition by name for their contributions to published material. Each course syllabus will contain the institutional policy on plagiarism.
  5. Respect the confidentiality of information regarding other students that is contained in any college records. Such information shall not be released, except by the College Registrar with the student's consent, or as otherwise required by law.

6. Refrain from reference during examinations or other academic evaluative processes to other individuals or materials not authorized by the instructor.

In addition, they shall not:

7. Possess, purchase, sell, or use any materials intended to be part of or the whole of an examination or other evaluation process unless authorized to do so by the instructor.
8. Act as substitutes for other students in any evaluative process.
9. Avail themselves of aid in any manner expressly prohibited by the instructor in the research, preparation, creating, writing, or performing of work to be submitted for academic credit or evaluation.
10. Aid other students in a manner expressly prohibited by the instructor in the research, preparation, creating, writing, or performing of work to be submitted for academic credit or evaluation.
11. Present as their own academic work ideas or work of another person without proper acknowledgment of sources.

Violation of these rules can lead to a failure for a course and/or expulsion from the College.

Approved: 03/23/05  
Revised: 01/13/10  
Revised: 03/23/16  
Revised: 12/16/20

### **304.3 WCCC STANDARDS OF COMMUNITY CONDUCT**

The following standards and regulations are designed to protect the rights, privileges and property of all individuals associated with the College. Misconduct in any of these categories is subject to disciplinary action.

- A. Any and all laws of the State of New Jersey, County of Warren, Township of Washington, and Town of Phillipsburg that provide for the protection of persons; for the protection of personal, real or public property, or provide for the regulation of motor vehicles, shall apply and be in effect on College property and such laws shall be properly enforced.
- B. Students who violate the law may incur penalties prescribed by civil authorities, but College authority is never used merely to duplicate the function of general laws. Only where the interest of the College as an academic community is distinctly and clearly involved will the authority of the College be asserted.
- C. The campus locations in Washington and Phillipsburg shall regularly be open and available for use by the public daily, including any designated hours during the weekend.

1. No one will be permitted into any classroom, office, library, building or campus grounds at either location before opening time or after closing time without proper authorization.
2. No unauthorized vehicles will be permitted on the campus of either location after closing.
3. The schedule and regulation shall be in effect unless special conditions shall exist. Notice of the special conditions and scheduled changes shall be given by the President or his designated agent.
- D. Use, possession, manufacture, distribution or sale of illegal or controlled substances (as defined by federal, state and local statutes) on College property or at college sponsored events is prohibited.
- E. Possession, use or distribution of alcoholic and intoxicating beverages on College property is prohibited. Use of such beverages outside of the law at College events on and off campus is prohibited. See the *College Substance Abuse Policy* for greater specificity.
- F. Gambling on College property as defined in the State Criminal Code shall be prohibited and enforced in accordance with state law.
- G. Use, possession or concealment of any firearms, fireworks, explosives, dangerous chemicals or any other material or weapon considered deadly or dangerous on College property is prohibited.
- H. Endangering or infringing upon the personal safety, personal rights or personal property of any member of the campus community is prohibited.
- I. Threatening, intimidating, coercing or using physical force in a manner which causes another member of the campus community to be injured or fearful of physical harm is prohibited, including assault, battery and sexual offenses.
- J. Any form of intimidation or harassment toward any member of the College community is prohibited.
- K. Slandering or libeling another member of the College community is prohibited.
- L. Displaying indecent or obscene conduct (in violation of federal, state and local statutes) to another member of the College community is prohibited.
- M. Willful defacement, destruction or misuse of public and private properties is prohibited.
- N. Theft, larceny or embezzlement of public and private property, including issuance of bad checks is prohibited.
- O. Interfering with regular College operations including, but not limited to, teaching and classroom activities, administration, meetings and public discussions, disciplinary procedures, College activities, and fire, police or emergency services is prohibited.
- P. Dishonesty such as cheating, plagiarism or otherwise intentionally furnishing false information to the College is prohibited.
- Q. Unauthorized use of computers, or computer services and time is prohibited.
- R. Forging, altering or misusing any college document or instrument of identification is prohibited.
- S. Using the College name for soliciting funds or other activities without prior permission is prohibited.
- T. Operating a vehicle in a reckless fashion on College property is prohibited. All traffic or vehicle regulations shall be strictly enforced by the College.
- U. Violating the College standards of conduct while participating as a student at off-campus sites or at events where the student is representing the College or engaging in any behavior or practice that is determined by college faculty, staff or auxiliary staff to be injurious or hazardous to other persons is subject to involuntary withdrawal from the program and disciplinary action.
- V. Failure to comply with direction of College officials when those officials are acting in performance of their duties and are requesting the student behave in accordance with college policies and regulations.

- W. Any type of cyber-harassment, including electronic stalking, bullying, and/or sexual exploitation.
- X. Student organizations are collectively responsible for any action committed by members on behalf of their organization that violate College policy. Disciplinary action against student organizations is separate from actions taken against individuals. Facts of an incident may necessitate action against both a student organization and the individual members of that organization who were found to have violated College policy.
- Y. Obstructing the free flow of pedestrian or vehicular traffic on or adjacent to College premises or at College events is prohibited.
- Z. Students are required to comply with the reasonable and lawful directions of College officials and College security.

AA. Making, attempting to make, or transmitting an audio or video recording of private, nonpublic conversations and/or meetings on College premises without the knowledge and consent of all participants subject to such recordings. This provision does not extend to the recording of public events or discussions, or to recordings made for law enforcement purposes.

BB. Violating other published College regulations or policies.

Approved: 03/23/05

Revised: 11/19/08

Revised: 03/23/16

Revised: 12/16/20

## **304 .5 ACADEMIC APPEAL PROCEDURE**

The WCCC Statement of Rights and Responsibilities is an outline of the minimum expectations necessary to maintain a quality learning environment. It is expected that whenever a disagreement arises, both parties will attempt to solve their differences informally before recourse to the grievance procedure. The following is the exclusive procedure for all student grievances:

If a grievance is academic in nature, involving conduct within the classroom or pertaining directly to the learning experience (for example, complaints about instructors, courses, grades or requirements), the following steps must be taken:

1. If a complaint is of a sexual, discriminatory or harassment nature, it must be immediately referred to Human Resources. It will follow the procedures specified in Board policy 201.2.
2. As related to all other academic complaints, the student should make every possible effort to resolve an academic complaint by discussing it with the instructor or other people directly concerned.
3. Complaints not settled between the student and instructor shall be forwarded in writing to the appropriate Vice President or designee within thirty (30) calendar days of the close of the semester in which the issue is reported. For credit bearing programs, the appropriate Vice President is the Vice President of Academics. For continuing education programs, the appropriate Vice President is the Vice President of Corporate and Continuing Education. "Close of the semester" shall mean the last date of the course, based on the academic calendar.

4. The Vice President will consult with the instructor and other people directly concerned, as appropriate before giving the student an informal judgment or may advise the student on an alternate strategy to handle the matter. The Vice President will respond to the student within seven (7) working days. A "working day" is a day the College is open for regular business.
5. Complaints not resolved between the student and the Vice President shall be submitted in writing to the President within fourteen (14) working days after decision by the appropriate Vice President is delivered. The President will meet with the student to review the complaint and write a response within four weeks of the date the complaint is received by the President. The President will review the matter and render a final decision. The decision will be in written form and will become part of the student's record, as appropriate.

Approved: 01/11/06  
Revised: 06/30/10  
Revised: 04/10/2013  
Revised: 03/23/16  
Revised: 12/16/20

### **304.6        NON-ACADEMIC CONDUCT GRIEVANCE**

If a grievance is non-academic in nature (all matters that are not related directly and specifically to academic concerns) and cannot be resolved informally between the parties involved, the grievant may request that the Vice President of Student Services take action to resolve the matter. If the complaint is of a sexual, discriminatory or harassment nature, it must be immediately referred to Human Resources. Academic matters must go to the Vice President of Academics.

In developing responsible student conduct, disciplinary proceedings play a substantially secondary role to informal resolution including counseling, guidance and admonition. At the same time, the College has a duty and the corollary disciplinary powers to protect its educational purpose through the setting of standards of scholarship and conduct for its students and through regulation of the use of college facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, procedural safeguards are provided to protect the student from unfair imposition of serious penalty. In all situations, procedural fair play requires that the student be informed of the nature of the charges against him/her and that s/he be given a fair opportunity to refute them.

The Vice President of Student Services has responsibility for non-academic discipline of students enrolled at the College. The Vice President of Student Services is authorized to take disciplinary action when a student violates the *College Standards of Community Conduct*, standards that govern acceptable behavior while present on College-owned facilities and properties or at College-sponsored events.

Any member of the College community who observes a student in such violation is to inform the Vice President of Student Services and submit a written statement. The Vice President of Student Services will initiate an informal investigation of the reported violation, in which case the facts

regarding the student's conduct will be reviewed, resolution of the problem determined and a decision rendered. If a student is found to have committed an offense, appropriate disciplinary measures will be imposed by the Vice President of Student Services. The student will be informed in writing of the charges and related evidence, the decision rendered, and the right to a formal hearing before the Student Review Hearing Board.

## 1. Non-Academic Disciplinary Sanctions

Any of the following measures can be imposed on a student for violation(s) of the *College Standards of Community Conduct*, depending on the severity of the violation. Notices of disciplinary action taken will be filed in the student's records. The notice will be removed when the terms of the sanction are fulfilled, or at the end of the semester following the ruling. In cases where the decision involves separation from the College, the Vice President for Finance and Operations and the President will be notified and the notification will be filed permanently in the student's record.

**a. *Reprimand***

The student will receive verbal and/or written notice of infractions of specified standards of conduct and warning that future misconduct will result in more severe disciplinary actions.

**b. *Restitution***

The student will be held accountable for College property that s/he has damaged or destroyed, removed and not returned.

**c. *Probation***

The student will be subject to a time period of restrictions after which institutional authorities will determine if his/her behavior has improved. During this time, the student will not be permitted to represent the College in any activity or run for or hold any office in a student group or organization. Additional restrictions or conditions may also be imposed. Notification will be sent to appropriate college offices.

**d. *Withdrawal***

The student will be given the opportunity to withdraw from the institution and no entry will be made in his/her official records other than withdrawal. S/he may return to school at the end of the time period as specified in writing.

**e. *Temporary Interim Suspension***

The student will be suspended immediately and temporarily pending hearing. Temporary interim suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to him/herself or to others or to the stability and continuance of normal college functions.

A student suspended on a temporary interim basis shall be given an opportunity to appear personally before the Vice President of Student Services or a designee within five school days from the effective date of the temporary interim suspension. A hearing shall then be held on the following issues only:

- The reliability of the information concerning the student's conduct, including the matter of his/her identity.
- Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to him/herself or to others or to the stability and continuance of normal college functions.

**f. Suspension**

The student will be dismissed from the College for a specified period not to exceed one year. Suspension can result in expulsion if terms of the suspension are violated.

**g. Expulsion**

The student will be permanently dismissed from the College.

**h. Other Disciplinary Sanctions**

Other sanctions may be imposed instead of /or in addition to a. through e., including work or counseling.

**2. Student Review Hearing Procedures for Non-academic Matters**

The purpose of the Student Review Hearing Board (Review Board) is to assist WCCC institutional authorities to arrive at a decision and resolution regarding student behavior that has been reported to be in violation of WCCC Standards of Community Conduct. A student has the option to select to have a hearing before the Review Board.

After receipt of written decision from the Vice President of Student Services regarding the matter, the student may choose to exercise the right to a hearing before the Review Board. To do so, s/he must submit a written request to the Vice President of Student Services within seven (7) school days from the date that the Vice President of Student Services issued his/her written decision. The Vice President of Student Services shall forward to the student within seven (7) school days of receipt of the student's request, a written statement that includes the charged infraction and related evidence, time and place of the hearing, and rights of the student to representation. "School days" are days that classes are in session and does not include interterm, spring or holiday breaks. The Review Board shall only meet on school days.

The Student Review Hearing Board will consist of seven (7) members including three faculty or teaching administrators, two students and two administrators, appointed by the Vice President of Finance and Operations . The Review Board will assume responsibility for its procedural operation that will include appointing a chair and secretary. The Review Board will execute the proceedings insuring fairness, truth, justice and due process. The Board will render a judgment in writing to the Vice President of Finance and Operations for final action.

The following structure will be used in these proceedings:

- a. A hearing must be held no sooner than (14) fourteen days or later than thirty days after the request has been received. The Vice President of Student Services shall notify all parties of the time/place for the hearing and will provide all parties with a copy of the written charge.
- b. The hearing is meant to be a non-adversarial proceeding. Parties to the hearing may invite witnesses, advisors and/or personal legal counsel to be present. It is important to note that review hearings are informal in nature and aimed at providing due process. Review hearings are not to be construed as court proceedings. Legal advisors may not participate in the hearing except to advise their clients.
- c. Having heard evidence and asked questions, the Review Board will meet in closed session to render a decision. The decision will be based only on the evidence presented in the hearing. A majority vote by the board is required to render a decision.
- d. Review Board decisions must be provided in writing to the Vice President of Finance and Operations. The Vice President of Finance and Operations will direct the Vice President of Student Services to notify the student and other parties in writing of the Review Board's decision within ten days of the hearing date. If the decision involves suspension or dismissal from the College, the President will be notified.

The Review Board's decision will be final unless within seven (7) school days after receipt of the decision, either party files a letter with the Vice President of Finance and Operations, requesting an appeal of the Board's decision. Appeal of the Board's decision will be reviewed by the President, whose decision will be final.

Approved: 03/23/05

Revised: 6/30/10

Revised: 3/23/2016

Reaffirmed: 12/16/20

## **304.7 INTIMIDATION & BULLYING**

The College maintains a strict policy prohibiting intimidation or bullying. This policy applies to all students of the College. In accordance with 18A:3B-68, the College defines intimidation and bullying as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by 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, or by electronic means at or away from the College, that substantially disrupts or interferes with the orderly operation of the institution or the rights of other students and that such action/behaviors:

- a. as a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming another student or damaging another student's property, or placing another student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property;
- b. have 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. create a hostile educational environment for other students at the College; or

- d. infringe on the rights of other students at the College by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Students who engage in prohibited intimidation or bullying are subject to disciplinary action, up to and including possible expulsion from any academic or continuing education program, the College, and all its events and activities.

Approved: 02/23/11

Revised: 04/18/18

Reaffirmed: 6/22/24

## **305 STUDENT COMPLAINT PROCEDURE**

Warren County Community College is committed to providing an environment encourages open and effective communication and respect for all members of the college community. From time to time disputes may arise that need resolution. In these instances, WCCC encourages all students to first direct the concern to the individual or department/area with whom the concern resides. Students should stop by the Office of Student Services or the Office of Academic Affairs if they have a question as to who should be contacted about a concern.

Most concerns should be resolved through an open, honest dialogue between the persons involved. In cases where that may not be possible, the Student Complaint Procedure can assist in facilitating a resolution.

### **Definition of Student Complaint**

A complaint is a student initiated complaint about the treatment of the student by an employee or contractor of the College. The Student Complaint Process can be used when the concern does not fall into one of the current complaint/appeal categories:

- a) Complaints regarding intimidation, harassment, bullying, inappropriate sexual contact or sexual assault: Any of these claims should be immediately forwarded to the Director of Human Resources/Title IX Compliance officer.
- b) Appeal of Financial Aid: An appeal of financial aid is done through the formal Financial Aid Appeal Form and Process.
- c) Request for a grade change or grade reconsideration: This is done through the Grade Change Request Form and Process.
- d) Request for a late refund, forgiveness of charges or medical withdrawal. This is done through the Special Considerations Form and Process.
- e) Complaints about Federal, State or local statutes, rules, regulations or requirements that are beyond the scope of something that can be resolved by the College.

A complaint may not be submitted on behalf of another person unless the complainant is incapacitated and unable to complete the form.

### **Procedure**

- 1) The student shall complete a Student Complaint Form and direct it to the Board Recording Secretary. The form must be signed and include an e-mail address for subsequent follow up. In order that a timely resolution can be made in this matter, the form should be submitted within 5 business days of the incident or activity.
- 2) The Board Recording Secretary or designee shall submit an acknowledgement to the Complainant within 3 business days and indicate either a) a resolution to the process or b) the next step in the process for a resolution and a projected timetable.
- 3) Once a resolution to the process provided, the complaint will be considered addressed and closed.

### **Reporting and Publishing Responsibilities**

The Board Recording Secretary shall maintain a log on all complaints and aggregate student complaint information so that the data on complaints can be reported each December to the Board of Trustees.

The College shall publish information regarding the Student Complaint Process in its Student Handbook and on its website at [www.warren.edu](http://www.warren.edu). Information regarding the number and types of complaints shall also be collected and reported as necessary to the Middle States Commission on Higher Education in accordance with accreditation requirements.

Approved: 05/21/16

Revised: 12/22/21

## **306 PRIVACY RIGHTS OF STUDENTS**

The purpose of the Family Educational Rights and Privacy Act (FERPA) is to protect the privacy of students and parents, and to notify students and their parents of their rights to privacy as provided under Section 438 of the General Education Provisions Act as amended. Warren County Community College will comply with all aspects of the FERPA law and regulations.

It is the policy of Warren County Community College to allow students access to certain records maintained by the College and to provide an opportunity to challenge the accuracy or appropriateness of such records.

### **306.1 PROVISIONS**

- I. Students enrolled at Warren County Community College have the right to inspect and review their educational record. If any material or document in the educational record of a student includes information on more than one student, each student will have the right to inspect only that part of the material or document that relates to him or her.
- II. College students are considered adults under F.E.R.P.A. and therefore determine who will receive information about them. Student academic information such as grades or academic

standing (GPA, academic transcript, etc.) will be given to the student, regardless of age or financial situation. Students may opt to release information in writing to parents or other individuals as specified.

- III. The Vice President of Student Services of WCCC has the responsibility for maintenance of the educational record and other documents relative to the student's enrollment and academic progress.
- IV. Warren County Community College will comply with all aspects of the General Data Protection Regulation legislation as it pertains to community colleges in the United States.

## **306.2 EDUCATIONAL RECORD**

The term educational record includes only the following materials and documents:

- A. Applications for admission and re-admission
- B. High School transcripts or GED score reports
- C. College transcripts
- D. Registration and Drop/Add forms
- E. Placement test results and waiver forms
- F. College communications pertaining to academic matters
- G. Transcripts of academic grades and semester grade reports
- H. Letters of reference prepared by Warren County Community College
- I. Final grades
- J. Transcript evaluation for transfer credit
- K. Instructor referral forms
- L. Admissions decision sheets
- M. Copies of letters written by WCCC to a third-party confirming enrollment status
- N. Correspondence between the College and the student, which directly pertains to matters of requisition, academic progress, grades or any other item of the educational record
- O. SAT/ACT and/or Accuplacer or other standardized test score reports

The above list is intended to describe what may be found in educational records. Not all documents pertain to all students, nor are all the documents described above required for all students. Many of the documents listed above may be stored in electronic format in lieu of paper copy.

The term educational record does not include the following:

- A. Financial records of parents or students
- B. Confidential letters and statements placed in the student's file
- C. Counseling or advising notes
- D. Records of administrative and teaching faculty which are in the sole possession of the faculty and which are not accessible to or revealed to any other person except a substitute instructor

- E. Confidential recommendations regarding admissions, honors and awards, or employment if the person has signed a waiver of his/her right to access this information. Such a waiver shall apply to recommendations only if:
  - 1. The statement is, upon request, notified of the names of all persons making confidential recommendations
  - 2. Such recommendations are only used for the purpose intended
- F. Medical records
- G. Disability records
- H. Disciplinary records

### **306.3 DIRECTORY INFORMATION**

Warren County Community College may release the following "directory" information on any student unless the student has designated that it should not be released without his/her prior consent. Such notification must be submitted by the student in writing to the Office of Student Services.

- A. Student Name
- B. Participation in recognized school activities
- C. Dates of attendance
- D. Degrees, Certificates, and awards received from WCCC

Nothing hereinabove shall limit the College from modifying the list of "directory information" in accordance with changes in federal or state guidelines.

Warren County Community College will not release the educational records or personally identifiable information of its students (other than directory information) without the written consent of the student to any party, except as permitted under federal law.

Students requesting that their directory information not be released must follow the procedures established by the Office of Student Services and contained in the Student Handbook.

### **306.4 STUDENT ACCESS TO THEIR OWN RECORDS**

Students may access their own records in accordance with procedures established by the Office of Student Services and published in the Student Handbook. In addition, students may obtain copies of any material or document contained in their educational record, except official copies of documents received from other institutions or agencies, such as high school or college transcripts. The cost for copies of educational records is as follows:

1 to 10 pages .....	@ \$0.75 per
11 to 20 pages .....	@ \$0.50 per
20+ pages .....	@ \$0.25 per

Students will be required to pay the cost of special mail handling (e.g., overnight or registered mail)

Students may request explanations and interpretations of any portion(s) of their educational record through the procedures outlined in the student handbook. The College shall offer students an opportunity to make any corrections to their records and an opportunity for a hearing to challenge items in their student file.

Approved: 12/15/04  
Revised: 06/30/10  
Revised: 04/18/18  
Revised: 4/15/20

## **307. STUDENT TRANSCRIPTS**

Student records, including an academic transcript, are protected by the Family Educational Rights and Privacy Act (FERPA) and are not considered public records. Academic records are the property of Warren County Community College (WCCC). Transcripts or other records submitted as part of the admission/transfer process also become part of a student's academic record. These documents cannot be returned to the student or forwarded to another institution.

Under FERPA, a student has the right to view the documents in his or her academic record. The College's official summary of a student's academic record is a transcript. Students may request official (sealed) or unofficial academic transcripts from WCCC. A student must be in good standing with the College to have an official transcript released. This means that all outstanding obligations (financial, academic or administrative) due to the College must be satisfied before the transcript can be issued. The College will not release transcripts for students who default on a student loan issued by WCCC until the loan has been rehabilitated or repaid. The College may establish a transcript fee to cover the cost of transcript production and mailing.

Only current or former students may request a transcript. The College will not release a student's academic information to family members, current/future employers, military representatives, law enforcement, or others without either written permission from the student or a subpoena.

Approved: 09/10/14  
Reaffirmed: 11/06/19

## **308 SERVICES FOR STUDENTS WITH DISABILITIES**

Warren County Community College (WCCC) is committed to providing equal opportunities for all students without discrimination. Warren County Community College is committed to providing students with disabilities with the same rights and privileges to participate in all programs as are available to all WCCC students. The College is thereby committed to complying with the spirit and letter of federal and state anti-discrimination legislation: the Federal Rehabilitation Act of 1973, 29 U.S.C. & 701; the Americans with Disabilities Act of 1990 (ADA); and the New Jersey Law Against Discrimination (NJLAD), N.J.S.A. 10:5-1 et seq., within the framework of its existing and available resources.

WCCC is committed to accommodating students' special needs, including those of a learning, psychological, or physical nature. All information provided to WCCC regarding the nature of a disability, and the need for academic accommodation is confidential. This information is maintained separately from educational records and is not shared with instructors or any other individual without the student's written consent. Accommodations for students with documented disabilities are coordinated by the Disability Coordinator in the Office of Student Services as described below.

### Definition

According to both federal legislative acts, a person with a "disability" is someone with a physical or mental impairment that substantially limits one or more major life activities. This includes, but is not limited to such conditions as visual impairments, psychological/ emotional disabilities, speech impairments, hearing impairments, mobility impairments, or learning disabilities. A person is considered disabled if (1) s/he has a disability, (2) has a record of the disability, or is (3)"regarded" as having the disability.

Section 504 further stipulates that a qualified handicapped person 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.

Under this legislation, a student at WCCC who has a disability has the right to request "appropriate academic adjustments." It is the student's responsibility to identify him/herself as an individual with a disability, provide appropriate documentation of the disability, and make the specific request for adjustments/accommodations. At WCCC, all decisions regarding these requests are made on an individual basis. The College is committed to accommodating special needs which provide the student with equal access and maintain the academic integrity of programs of study.

### Service Requests

The disabilities services provider at Warren County Community College is the Disability Coordinator in Student Services or appropriate designee. This individual has the responsibility of determining the appropriateness of students' requests for academic adjustments/ accommodations. Students who wish to request academic adjustments/accommodations should schedule an appointment with the Disability Coordinator, prior to enrollment, to discuss individual needs.

#### A. Examples of Academic Adjustments

Examples of classroom accommodations may include testing/assignments, note-taking assistance, access to interpreters, audio-taping of lectures, and use of other assistive technologies. Information and referrals for securing books on alternative formats to print may also be available. Students seeking more specialized assistance may be eligible for out-of-county sponsorship to a college which is able to provide that service.

The College does not provide personal devices, such as wheelchairs; individually prescribed devices, such as hearing aids; or services of a personal nature including assistance with eating, toileting, or dressing. It is the student's responsibility to secure this assistance.

## **B. Requests for Academic Adjustments**

### **1. Documentation of Disability**

Students with a disability who wish to request academic adjustments or accommodations must submit written documentation of the disability to the Disability Coordinator. (Note that it is the responsibility of the student to self-identify themselves as requiring adjustments or accommodations; the College is not responsible for any diagnostic services to determine whether a student has a disability.)

This documentation must provide the following: professional evaluation and diagnosis of disability, description of how the disability affects the individual's ability to learn, and suggested learning strategies that may enable the student to compensate for the disability.

The evaluation and supporting documents must be completed by a professional who is qualified to diagnose the particular disability (learning consultant/ psychologist/ physician) and should be completed within the last five (5) years. It is recommended that these documents be submitted to the Disability Coordinator several weeks prior to the start of classes to allow sufficient time for review and student advisement

### **2. Process of Review**

The Disability Coordinator will review all submitted documents and determine the academic adjustments/ accommodations appropriate to college study that can reasonably be provided for the student at WCCC. The Disability Coordinator may ask the student to provide additional documentation, particularly if the disability is one of transient impact. The Disability Coordinator also may request professional consultation if further information is needed to determine reasonable means of accommodating the student's needs. The appropriate accommodations will be discussed with the student, who will determine which of these s/he would like to request.

### **3. Requesting Specific Academic Adjustments/Accommodations**

To receive the appropriate academic adjustments/accommodations, a student must notify the Disability Coordinator upon registering for classes for the upcoming semester. The Disability Coordinator will complete the necessary Academic Adjustment Request paperwork and inform the student when it is ready to be finalized. It is recommended that the student meet with the Disability Coordinator prior to course registration for the upcoming semester to discuss academic plans for that term. The completed Academic Adjustment Request will be forwarded to the student who will share and discuss it with each individual instructor. The Disability Coordinator will discuss this with each student and will assist the student as appropriate with the student's accommodations. Any changes made to a class schedule after the Academic Adjustment Requests have been completed must be brought to the attention of the Disability Coordinator.

### **4. Confidentiality of Information**

All information provided to the College regarding the nature of a student's disability and request for academic adjustment is kept confidential. All records are maintained by the Disability

Coordinator are filed separately from academic records. This information, including the approved "Request for Academic Adjustment" cannot be shared with instructors or anyone outside of the college community unless the student provides the Disability Coordinator with written consent to do so.

If written consent for release of this information is received, the Disability Coordinator/designee will provide the individuals named within the release with the approved "Request for Academic Adjustment" indicating the accommodations that must be implemented. College employees in receipt of such information from the Disability Coordinator must exercise confidential safeguards at all times in its handling.

##### 5. Implementation of the Approved Academic Adjustments

Instructors, administrators, staff, and contractors must provide academic adjustments approved by the Disability Coordinator/designee and provided via the student... Instructors must include the disability services statement provided by the Office of Student Services in every syllabus.

If the student, at any time, feels that the accommodation(s) s/he is receiving are not working, s/he should discuss these concerns with the Disability Coordinator /designee as soon as possible.

#### Self-Advocacy

Self-identification, self-advocacy, and independence are integral to the effective delivery of these services. If a student discloses that s/he has a disability, the student should be referred to the Disability Coordinator for further advisement.

#### Appeals

##### A. Student

A student with a disability who wishes to appeal an accommodations decision, or who believes that he or she has been a victim of discrimination by the College or a representative thereof, should be referred to the Disability Coordinator. The Disability Coordinator will provide the student with information regarding the Student Grievance Procedure and take action accordingly to seek resolution of the appeal or complaint.

##### B. College Employee

Any instructor or administrator who wishes to appeal the decision of the appropriate Dean/Vice President or designee, should contact the President. The President will take action accordingly to seek resolution of the appeal.

The College administration reserves the right to further review an accommodation recommended by the Associate Dean in the interest of better serving the student and the college community.

The College shall at all times, within the framework of its existing and available resources, comply with the existing laws, rules, and regulations pertaining to students with disabilities, including but not limited to the laws of the United States of America and the State of New Jersey, as well as all appropriate administrative agencies.

Approved: 04/25/97

Revised: 01/13/10

Revised: 02/10/16

Revised: 12/22/21

## **308.1 SERVICE AND SUPPORT ANIMALS**

Warren County Community College (the "College") limits the presence of privately-owned animals on campus to service animals trained to perform work or tasks for an individual with a disability, as described under the ADA. It is the policy of the College to afford individuals requiring a service, therapy or emotional support animal equal access to College property, programs, and activities in accordance with the ADA.

### **Definitions and Terms**

**Service Animal:** Under the ADA, a "service animal" is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

**Handler:** means the disabled individual having an interest in or right of possession to a service animal, or any person having control, custody, or possession of a service animal.

**Therapy or Emotional Support Animal:** A therapy or emotional support animal animal is an animal that provides emotional support or comfort that alleviates one or more of the identified symptoms or effects of a disability. A therapy animal is **not** a service animal under this policy. Therapy animals **may** qualify as a reasonable accommodation for a disabled individual and are **only permitted** at the discretion of the College. Access for therapy animals is evaluated similar to any other request for accommodation and should be directed to the VP of Student Services to discuss whether the use of a therapy animal is permissible on campus.

**Pet:** A pet is any domesticated animal that is not a service animal, therapy animal or emotional support animal. Animals which are solely pets are prohibited on campus.

### **Service Animals on College Property Pursuant to Title III (Public Accommodation)**

#### **1) Where is the Service Animal Permitted**

Title III prohibits discrimination on the basis of disability in the activities of places of public accommodation, including the College. Accordingly, the College generally permits the use of a service animal by any individual with a disability. Handlers of service animals are permitted to be accompanied by their service animal in all areas of the College property where the owner is allowed to go. Such areas include public areas, public events, and areas where public activities are held.

#### **2) Permitted Inquiries**

College personnel shall permit service animal access to an event or activity with its owner when it is readily apparent that the animal is trained to do work or perform tasks for its owner. Example: a seeing eye dog aiding a blind individual; a dog assisting an individual in a wheelchair.

If the need for the service animal is not readily apparent, personnel may only ask the following of service animal owners:

- Whether the service animal is required because of a disability; and
- What task the animal has been trained to perform for the individual.

If the owner states that the animal is required because of a disability and that the animal has been trained to do work or a task<sup>1</sup> for the owner, then the service animal shall be admitted.

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. (emphasis added for potential applicability to Employee). Service animal owners must not be asked about the nature of their disability or for medical documentation of it. The College shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

### **3) Handler Responsibilities and Removal**

The handler may take the service animal onto College property subject to Section 5.1. However, the College may request that the service animal be removed from College property when:

- (a) The animal is disruptive/out of control and the animal's handler does not take effective action to control it;
- (b) The animal is not housebroken; or (c) the animal substantially interferes with the reasonable enjoyment of the area by others

Further, a service animal shall be under the control of its handler. The College is NOT responsible for the care or supervision of a service animal.

The handler is tasked with the following regarding service animals:

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<sup>1</sup> For example, if a service animal senses that a person is about to have a psychiatric episode and it is trained to respond by nudging, barking, or removing the individual to a safe location until the episode subsides, then the animal has indeed performed a task or done work on behalf of the individual with the disability, as opposed to merely sensing an event.

- A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- Ensure the service animal does not disturb or disrupt normal College functions;
- Immediately clean up after the service animal and properly dispose of the service animal's waste or other debris in accordance with all applicable local and state laws.
- The service animal must be vaccinated and licensed as required by state law and/or local ordinance.
- The animal may not be any "potentially dangerous species" as defined by N.J.A.C. 7:25-4.8.

Under New Jersey law, a person with a disability who has a service or guide dog in his possession shall be liable for any damages done to the premises of a public facility by such dog. See N.J.S.A. 10:5-29(c).

### **Title I (Employment Accommodation)**

Title I of the ADA governs the use of a service or therapy animal by employees. Pursuant to Title I of the ADA, the College will consider all employee requests for the use of a service or therapy animal as a reasonable accommodation to an employee's disability. All persons who require the use of a service or therapy animal in the workplace must make a request for an accommodation in accordance with the College's policy on Reasonable Accommodations in the workplace.

Determining whether an Therapy or Emotional Support Animal is permitted on campus is made on an individual basis, through an interactive process between the student requesting the accommodation and relevant campus personnel. The student's needs will be balanced with the impact of an animal on others.

In order for an Emotional Support Animal to be considered a reasonable accommodation, the individual must make a written request with the College and provide current verification of their need for an Emotional Support Animal from a physician, psychiatrist, licensed clinical social worker, or licensed psychologist which:

- a. verifies that the requestor has a disability;
- b. describes the need for the Emotional Support Animal to enable the requestor an equal opportunity to use and enjoy the campus; and
- c. identifies the relationship between the disability and the assistance the Emotional Support Animal provides.

The College may deny or revoke a request for an Emotional Support Animal if its presence: a) fundamentally alters the nature of a program or activity; b) would result in substantial physical damage to the property of others; c) would substantially interfere with the reasonable enjoyment of University property by others; or d) is disruptive.

Any service or therapy animal shall be under the control of the employee handler and must follow the handler rules noted above. The College is NOT responsible for the care or supervision of a service or therapy animal.

No animals on campus may be neglected or abused. If neglect or abuse is suspected, the College will contact appropriate authorities.

Approved: 12/19/18  
Revised: 05/17/25

## 309 TITLE IX – EDUCATIONAL AMENDMENTS OF 1972

The College maintains a strict policy prohibiting discrimination or harassment based on sex, including sexual assault and gender identity discrimination in any education program or activity. This policy applies to all employees, students, executives, officers, Trustees, Foundation Directors, independent contractors, visitors to the College and third parties. (Also see policy 201.2 Anti-Harassment)

The College will respond to all notices/complaints of discrimination on the basis of sex in any educational program or activity which include locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Anyone, who has been the victim of sexual harassment or discrimination regarding a College program or activity should immediately contact the Director of Human Resources/Title IX Coordinator. All notices/complaints of discrimination as stated above should be directed to the Director of Human Resources/Title IX Coordinator at 908-835-2356. The office is located in Room 125 on the Washington Campus. If this individual is not available, the notice/complaint should be reported to the Public Safety Coordinator or a College Executive.

### **DEFINITIONS:**

**Actual knowledge** means notice of Title IX violations including sexual harassment or allegations of sexual harassment to the College's Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College.

**Sexual Harassment** means conduct of the basis of sex where a College employee conditions education benefits on participation in unwelcome sexual conduct (i.e. quid pro quo); or any individual, as applicable to this policy, demonstrates unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education programs or activities; or sexual assault (as defined by the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). (See policy 309.2).

**Complainant** is defined as an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Respondent** is defined as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Investigator** is defined as the person or persons charged by the College with gathering facts about an alleged violation of this policy, assessing relevance and credibility, evaluating evidence, and compiling this information into an investigation report and file of directly related evidence.

**Advisor** is defined as a friend, mentor, family member, attorney, or any other individual a party may choose to advise, support, and/or consult with them throughout the resolution process.

**Decision-maker** is defined as the person who has decision-making and sanctioning authority within the College's formal grievance process.

**Formal Complaint** is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegations of sexual harassment.

**Supportive Measures** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education programs or activities, without unreasonable burdening the other party; protect the safety of all parties and the College's educational environment; and deter sexual harassment. Supportive measures can include advising, course-related adjustments, modifications of work or class schedule, campus escort services, increased security & monitoring of certain areas of campus, and mutual restrictions on contact between the parties.

**Finding** is a conclusion by preponderance of evidence that the conduct did or did not occur as alleged.

**Final Determination** is a conclusion by preponderance of evidence that the alleged conduct occurred and whether it did or did not violate policy.

## REPORTING A TITLE IX COMPLAINT

Students or members of the community should report a Title IX claim or allegation directly to the Director of Human Resources/Title IX Coordinator at (908) 835-2356. The office is located in Room 125 on the Washington campus.

Should students or members of the community report a Title IX complaint to a WCCC employee or contractor, that individual has an obligation to immediately report the matter to the Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator for further investigation.

Upon receipt of a Title IX complaint by the Title IX Coordinator, the College will respond promptly, offer supportive measures to the complainant and begin an investigation.

If there is reason to believe that a student has been sexually assaulted or harassed by another person and the College has sufficient information to file a student conduct referral, action will be taken within the student conduct system, regardless of whether the case is pursued by the victim or under state, criminal, or civil codes.

The Director of Human Resources/Title IX Coordinator, in conjunction with the Public Safety Coordinator, will lead the investigation for any violations of Title IX. These individuals will use appropriate resources to

document and investigate the matter. The College will evaluate all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent or witness.

Once the investigation of a claim is complete, the case will be referred to the Vice President of Student Services for determination of any internal judicial process necessary in the matter. Possible college sanctions for Title IX violations include, but are not limited to: suspension, and/or expulsion from the College. Students found in violation of the College's Sexual Assault/Sexual Violence Policy also may be assigned developmental and educational interventions designed to promote greater awareness, improved decision-making, and to further deter future misconduct.

In instances where there is reasonable cause to believe a student or an employee is an immediate threat to the safety of themselves or other persons or property or is an immediate threat to disrupt essential campus operations, the College shall implement an Interim Suspension of that individual.

Provided that the complaint is not resolved through informal resolution and the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a live hearing. At the live hearing, a college appointed Decision-maker will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally and in real time by the party's Advisor only. The Decision-maker will evaluate all relevant evidence and issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. This written determination must be sent simultaneously to the parties along with information regarding the appeal process.

All reports of Title IX violations will be treated with confidentiality and respect for the privacy of the reporting individual(s). Information concerning conduct proceedings including the outcome of any conduct hearing related to Title IX shall be available to the victim at the same time the information is provided to the alleged perpetrator.

In addition, retaliation against individuals who report Title IX violations and/or who participate in college conduct hearings will not be tolerated and will be addressed through the College's internal judicial process. Retaliation includes, but is not limited to: intimidation, threats, coercion, and/or discrimination perpetrated directly, indirectly, and/or through third parties, which involves any type of media, social media, email, texting, and/or other electronic communications, etc. Issues of retaliation will be investigated by the Director of Human Resources/Title IX Coordinator. Issues where there are immediate threats made to a person or persons will be immediately referred to Campus Security and local law enforcement.

The judicial policies and procedures are contained in the College Handbook for further information. This document can be found under "QUICKLINKS" on the College's homepage ([www.warren.edu](http://www.warren.edu)). For additional questions, special needs, or to request a hard copy of the Student Handbook containing the College's policies and procedures, please contact the Office of Student Services at 908-835-2300.

The College will follow a consistent, transparent grievance process for resolving formal complaints of Title IX violations.

The College will treat complainants equitably by providing remedies any time a respondent is found responsible, to maintain the complainant's equal access to education programs and activities.

All notices/complaints of Title IX violations will be treated with confidentiality and respect for the privacy of the reporting individual(s). There will be no retaliation taken against an employee or student solely for being a victim of discrimination or harassment on the basis of sex or reporting such an incident to a College official.

Approved: 3/23/05  
Revised: 11/18/20

### **309.1 CAMPUS SEXUAL ASSAULT/VICTIM'S BILL OF RIGHTS**

Warren County Community College is committed to maintaining an academic/work environment for all students, faculty, and staff that is free from sexual assault and non-consensual sexual contact. Any allegation of sexual assault and non-consensual sexual contact will be treated seriously. Such behavior or threat thereof shall not be tolerated. Full assistance and prompt cooperation will be provided in notifying the proper criminal and civil authorities. The College will adhere to the directives of the law enforcement agency responsible for the sexual assault investigation. In addition, any student, faculty, staff, or administrative employee of the College determined to have violated this policy will be subject to immediate and appropriate disciplinary sanctions.

Anyone, who has been the victim of a sexual assault, attempted sexual assault, or non-consensual sexual contact on the WCCC campus should immediately contact the Director of Human Resources/Title IX Coordinator. This individual can provide supportive intervention, including information and referral for contacting the police, obtaining appropriate medical care, preserving evidence for possible criminal prosecution, obtaining a temporary restraining order, and contacting the available counseling and support services within the community.

Counseling, on-going support, and information about college disciplinary action may be obtained through the Office of Student Services. In addition, the victim of such an assault may request changes as needed, in their academic circumstances (i.e. course section, credit load). All requests considered to be reasonable will be implemented promptly.

All interventions shall be made in accordance with *The Campus Sexual Assault Victim's Bill of Rights* as adopted by the New Jersey Commission on Higher Education in October 1995. This Bill of Rights shall be published annually in the Student Handbook.

Approved: 03/23/05  
Revised: 11/18/20

### **309.2 SEXUAL ASSAULT/SEXUAL VIOLENCE INFORMATION AND PROCEDURES**

WCCC is committed to ending all forms of interpersonal violence. This policy covers the topics of sexual assault, domestic violence, dating violence, and stalking in accordance with the Violence

Against Women Act of 2013. **Sexual assault, domestic violence, dating violence, and stalking are crimes and can be reported to the police, by calling the WCCC Security Department at 908-835-2455 or 911.**

Title IX of the Educational Amendments of 1972 prohibits discrimination based on sex. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by this federal law (See Policy 309). The WCCC Anti-Harassment Policy (Policy 201.1) prohibits sexual harassment or sexual violence and provides reporting procedures. WCCC offers support to victims of interpersonal violence, including assisting victims in accessing resources on and off campus.

When incidents of sexual harassment and/or sexual violence, domestic violence, stalking, and dating violence, occur and are reported to campus security authorities, WCCC will take immediate and effective steps to end sexual harassment and sexual violence, including but not limited to contacting the police. In addition, retaliation against individuals who report sexual harassment and/or sexual violence and/or who participate in college conduct hearings will not be tolerated and will be addressed through the College's judicial process. Retaliation includes, but is not limited to: intimidation, threats, coercion, and/or discrimination perpetrated directly, indirectly, and/or through third parties, which involves any type of media, social media, texting, emails, and/or other electronic communications, etc.

Questions about WCCC's Anti-Harassment Policy and Title IX procedures can be directed to the Director of Human Resources/TITLE IX Coordinator, at, 908-835-2356. The office is located in Room 125 on the Washington campus.

## **DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING AND CONSENT**

**Domestic Violence** – Domestic violence pursuant to New Jersey statutes is defined as one or more offenses, such as physical harm, bodily injury, assault or the infliction of fear of imminent physical harm, bodily injury or assault or the infliction of fear of imminent physical harm, bodily injury or assault between family members, household members, residents sharing living space or dating relationships. When notified, the College will comply with any protective or restraining orders or other court orders.

The following are a list of criminal offenses included in New Jersey's Domestic Violence Act

Homicide N.J.S.A. 2C:11-1	Criminal sexual contact. N.J.S.A. 2C:14-3
Assault N.J.S.A. 2C:12-1	Lewdness N.J.S.A. 2C:14-4
Terroristic threats N.J.S.A. 2C:12-3	Criminal mischief. N.J.S.A. 2C:17-3
Kidnapping N.J.S.A. 2C:13-1	Burglary N.J.S.A. 2C:18-2
Criminal restraint N.J.S.A. 2C:13-2	Criminal trespass N.J.S.A. 2C:18-3
False imprisonment N.J.S.A. 2C:13-3	Harassment N.J.S.A. 2C:33-4
Sexual assault N.J.S.A. 2C:14-2	Stalking N.J.S.A. 2C:12-10

Complete definitions of the above can be complex. No one outside of official law enforcement and/or the prosecutor's office is trained to make a determination of applicability. Therefore, WCCC Policy

compels all College administrators, faculty, staff, and employees to report any perceived or alleged incidents directly to the Director of Human Resources/Title IX Coordinator and/or Campus Security; who will work in conjunction with the Public Safety Coordinator, to lead an investigation to determine the appropriate action.

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the relationship is determined by consideration of length of relationship, type of relationship, and frequency of interaction.

**Stalking** – Course of conduct directed at a specific person that would cause a reasonable person to fear for safety of self or others or suffer substantial emotional distress. Stalking behaviors are sometimes characterized as persistent and frequent unwanted in-person contact, surveillance, and unwanted telephone or other electronic contact.

**Consent** – Voluntary, positive agreement between the participants to engage in specific sexual activity.

**Victims** often have difficulty reporting sexual violence for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, and/or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents to the appropriate College authorities.

All College administrators, faculty, staff, and employees are compelled to report any alleged incidents to the Director of Human Resources/Title IX Coordinator at (908) 835-2356. The office is located in Room 125 on the Washington campus. In the case of an immediate emergency, contact Campus Security at (908) 835-2455.

## GENERAL INFORMATIONAL GUIDELINES FOR VICTIMS OF SEXUAL VIOLENCE

The following information provides guidelines to follow should sexual violence occur.

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence – The victim should not shower, bathe, or wash any part of your body. Do not use the toilet or douche. Do not change clothing, brush your teeth or gargle, or comb your hair.
- Seek medical attention. If you were sexually assaulted, your healthcare provider can provide additional guidance to assist you. You also can have evidence collected at a hospital emergency department. Evidence collection should occur as soon as possible.
- The victim can request an advocate to assist him/her. An advocate will provide information about resources and options for reporting the crime, seeking medical care, counseling, and other services. Advocacy Services are free and confidential and are available 24 hours a day, 7 days a week. Advocates are available through the **Domestic Abuse & Sexual Assault Crisis Center of Warren County at 908-453-4181**.

- Contact the police – Sexual assault, domestic violence, dating violence, and stalking are crimes. It is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the County Prosecutor.

## RESOURCES TO ASSIST VICTIMS

In the case of sexual assault, domestic violence, dating violence or stalking incident(s), a victim should be encouraged to access the following support services:

1. **WCCC Campus Security at 908-835-2455 (Washington) or 908-878-0202 (Phillipsburg):** This office will immediately contact the local police. The local Police will take immediate and appropriate action to investigate any allegation of sexual assault and, if evidence exists, will take appropriate action to end the sexual violence and prevent its recurrence. In cases requiring urgent measures, victims should contact the local police by dialing 9-1-1. Ensure that the victim is in a safe and secure environment, and encourage him/her to preserve all physical evidence. Even if the allegation is deemed not subject to a criminal investigation, the College will initiate its policies and procedures regarding any complaints. Campus Security/Campus Operations and Student Services are available for consultation and/or support with regard to questions concerning procedures and services that are available for sexual assault/violence victims. Campus Security are available to provide escort services to victims who are victims of sexual assault/violence, upon request of the victim.
2. **Medical Attention:** If the alleged abuse or assault occurred within the last seventy-two hours, encourage the victim to seek medical attention at a nearby hospital. Each hospital has the facilities and expertise to conduct medical-legal examinations, even if the victim prefers not to prosecute. This step is important, so that s/he receives proper assessment and treatment of any physical injuries sustained in the assault.
3. **Counseling/Advocacy Services:** The Domestic Abuse & Sexual Assault Crisis Center of Warren County is available to students to provide confidential counseling services at 908-453-4121 or 866-6BE-SAFE [623-7233].

## STUDENT CONDUCT POLICIES AND PROCEDURES

The crimes of rape, sexual assault, domestic violence, dating violence, and stalking, when perpetrated by students are in violation of this policy and WCCC Standards of Community Conduct (Policy 304.3). The WCCC Standards of Community Conduct applies at all college campuses/locations and may also address off campus student misconduct when a student's behavior affects a substantial college interest. Violations of college conduct policies are adjudicated in accordance with the Non-Academic Conduct Grievance Policy (Policy 304.6). These policies are contained in the Student Handbook, which can be accessed under "QUICLINKS" on the College's homepage ([www.warren.edu](http://www.warren.edu)).

The Office of Student Services is the primary office responsible for administering the judicial aspects of the WCCC Standards of Community Conduct and related policies. These policies articulate the behavioral standards and the due process employed by the College to respond to allegations of

student misconduct. Students who are found responsible for violations may be subject to sanctions ranging from Disciplinary Warning, Disciplinary Probation, up to Suspension or Expulsion from the College.

For additional questions, special needs, or to request a hard copy of the Student Handbook containing the College's policies and procedures, please contact the Office of Student Services at 908-835-2300.

## **REPORTING A CLAIM OF SEXUAL ASSAULT/SEXUAL OR DOMESTIC VIOLENCE/STALKING**

Should a claim of sexual assault be reported to Campus Security, that office will contact and refer the information to local law enforcement as necessary.

Students or members of the community may report a claim or allegation directly to the Director of Human Resources/Title IX Coordinator at (908) 835-2356. The office is located in Room 125 on the Washington campus.

Should students or members of the community report a claim of sexual assault/sexual violence to a WCCC employee or contractor, that individual has an obligation to immediately report the matter to the Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator for further investigation.

If there is reason to believe that a student has sexually assaulted another person and the College has sufficient information to file a student conduct referral, action will be taken within the student conduct system, regardless of whether the case is pursued by the victim or under state, criminal, or civil codes.

The Director of Human Resources/Title IX Coordinator, in conjunction with the Public Safety Coordinator, will lead the investigation with other college employees for any violations of sexual assault/sexual violence. These individuals will use appropriate resources to document and investigate the matter.

Once the investigation of a claim is complete, the case will be referred to the Vice President of Student Services for determination of any internal judicial process necessary in the matter. Possible college sanctions for rape, sexual assault, domestic violence, dating violence, and/or stalking include, but are not limited to: suspension, and/or expulsion from the College. Students found in violation of the College's Sexual Assault/Sexual Violence Policy also may be assigned developmental and educational interventions designed to promote greater awareness, improved decision-making, and to further deter future misconduct.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, the College shall implement an Interim Suspension of the student.

All reports of sexual assault/sexual violence will be treated with confidentiality and respect for the privacy of the reporting individual(s). Information concerning student conduct proceedings including the outcome of any student conduct hearing related to violence shall be available to the victim at the same time the information is provided to the alleged perpetrator.

In addition, retaliation against individuals who report sexual harassment and/or sexual violence and/or who participate in college conduct hearings will not be tolerated and will be addressed through the College's internal judicial process. Retaliation includes, but is not limited to: intimidation, threats, coercion, and/or discrimination perpetrated directly, indirectly, and/or through third parties, which involves any type of media, social media, email, texting, and/or other electronic communications, etc. Issues of retaliation will be investigated by the Director of Human Resources/Title IX Coordinator. Issues where there are immediate threats made to a person or persons will be immediately referred to Campus Security and local law enforcement.

Please consult the judicial policies and procedures contained in the College Handbook for further information. This document can be found under "QUICKLINKS" on the College's homepage ([www.warren.edu](http://www.warren.edu)). For additional questions, special needs, or to request a hard copy of the Student Handbook containing the College's policies and procedures, please contact the Office of Student Services at 908-835-2300.

## **RIGHTS FOR LEGAL PROTECTION**

The rights of victims also include the right to obtain legal protections, including:

Orders of protection;  
No contact orders; and  
Restraining orders.

Individuals who apply for or obtain a protective or restraining order that lists Warren County Community College campuses or other facilities as protected areas, should provide the Campus Safety Department with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order.

## **INFORMATION AND TRAINING**

WCCC will offer periodic sexual violence information programs and training for primary and ongoing prevention and awareness to students and employees in compliance with the Violence Against Women Act.

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Revised: 11/18/20

## **309.3 DOMESTIC VIOLENCE**

Domestic violence pursuant to New Jersey statutes is defined as one or more offenses, such as physical harm, bodily injury, assault or the infliction of fear of imminent physical harm, bodily injury or assault or the

infliction of fear of imminent physical harm, bodily injury or assault between family members, household members, residents sharing living space or dating relationships (See Policy 309.1). Community members will be held accountable for actions involving any violations of the domestic violence statutes.

Warren County Community College will not tolerate domestic violence including harassment of any employee or student while on our campuses and other facilities. This includes physical, verbal and non-verbal threats, threatening behavior, related actions against WCCC employees, students, visitors, guests or other individuals by anyone on WCCC property that may result in physical or emotional injury or otherwise place one's safety and productivity at risk.

Any employee or student who threatens, harasses or abuses someone at the institution or uses college resources such as work time, workplace phones, fax machines, mail, email or other means to threaten, harass, or abuse someone may be subject to disciplinary action which may include dismissal and/or expulsion. Disciplinary action may also be taken against students or employees who are arrested, convicted or issued a permanent injunction as a result of domestic violence when such action has a direct connection to the student's performance or the employee's duties at the College.

#### Emergency Circumstances

The safety of individuals on campus is essential. Should a student or employee believe that there is an immediate threat, s/he should call the local 9-1-1 operator and report an emergency situation. To contact emergency from an internal college phone, the user should dial 9-1-1. There are emergency phones in the Washington Campus parking lot that connect directly with the WCCC Security staff. Should an individual use one of these phones, the WCCC Security Staff shall contact the local police and report any emergency.

#### Restraining Orders

Individuals who apply for or obtain a protective or restraining order that lists Warren County Community College campuses or other facilities as protected areas, should provide the Campus Safety Department with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order. The College shall accommodate the terms of the protective or the restraining order.

#### Reporting and Confidentiality

Domestic violence victims, as well as perpetrators are encouraged to report their situation and ask for assistance. Any employee or student having knowledge of abuse from a victim or perpetrator should immediately report the matter to the Director of Human Resources/Title IX Coordinator. If this individual is not available, the employee or contractor should report the matter to a College Executive or the Public Safety Coordinator. That individual will gather the initial information and refer the matter to the Director of Human Resources/Title IX Coordinator for further investigation. The matter will be investigated and adjudicated in accordance with the College's policies and procedures.

The College will provide resource and referral information. Work schedule or academic schedule adjustments or leave may also be provided if necessary for assistance with domestic violence situations. WCCC shall make available information and programs to students and employees for the awareness on issues of domestic violence.

All reports of domestic violence will be treated with confidentiality and respect for the privacy of the reporting individual(s). There will be no reprisals taken against an employee or student solely for being a victim of domestic violence or reporting such an incident to a College official.

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Revised: 11/18/20

## **310 STUDENT CLUBS AND ORGANIZATIONS**

The College encourages students to form and participate in clubs and organizations on campus that promote the development of career, academic, social and other interests. Student clubs and organizations are formed by and for students of Warren County Community College according to the following policies and procedures.

### **310.1 MEMBERSHIP**

Each student organization (club/activity) recognized and approved by the College is free to select its own membership upon the basis of individual merit. However, no student organization may restrict its membership on the basis of any protected category included in the New Jersey law against discrimination.

All club members must be matriculated in at least 6 credits and in good academic and financial standing. A continuing student must have a cumulative GPA of 2.0 and a prior semester GPA of 2.0. Students with an Academic Hold or Financial Holds due to prior balances due to the College may not participate in clubs until the their financial obligation to the College is satisfied.

### **310.2 POLICIES AND PROCEDURES FOR RECOGNIZING A STUDENT CLUB OR ORGANIZATION**

All Student clubs and organizations, including any honor societies, must be recognized annually by the College. An organization may not undertake any activities, including holding meetings, events, fund raisers or spend any resources prior to formal annual recognition by the Vice President of Student Services or designee.

The following must be submitted in order for a club to be recognized:

- 1) The Club must have an Advisor who is a full-time employee, a permanent part time employee or senior adjunct faculty member.
- 2) The Club Advisor must have completed any mandatory training (such as Title IX training) before the Club is recognized.
- 3) The Club must have a Charter indicating the purpose of the club. This charter shall be signed by the Club President and the Club Advisor and submitted annually to the Vice President of Student Services or designee.
- 4) The Club or Organization must submit a roster of its members. All club members must be in good academic and financial standing with the College and must not be under any sanction for

the violation of College conduct policies. It is up to the advisor to certify that each club member meets club and college guidelines for members. In the case of honor societies, all members must meet the membership criteria **before** they are able to be considered a member of the organization.

### **310.3 POLICIES GOVERNING CLUBS**

All recognized student clubs/organizations must have a minimum of 10 members, unless an exception is approved by the President. The Club shall have 4 student officers (President, Vice President, Secretary, and Treasurer) and scheduled monthly meetings. The monthly meetings must be documented via a meeting summary report. This report, which must be signed by the Club Advisor, must include the date, time and place of the meeting plus the list of individuals who attended and the topics discussed.

Any club/organization violating college policies and procedures is subject to discipline as an organization, which may include probation or suspension. Student Organizations must follow all College and Board policies and procedures, including financial policies. Nothing herein prohibits the College from establishing additional guidelines for student clubs. These shall be distributed to Club officers and published on the College's website.

### **310.4 INACTIVE CLUBS**

Student clubs/organizations will be deemed inactive by the Vice President of Student Services or designee if they do not meet the guidelines in Section 310.3. Clubs/Organizations that have been declared inactive for four consecutive semesters (excluding summer terms) will have any fund balances returned to the Student Activity fund. A club/organization can request reinstatement to the Vice President of Student Services or designee. Student organizations interested in reinstatement must follow the procedures established by the Vice President of Student Services or designee and published on the website...

### **310.5 ORGANIZATION-SPONSORED ACTIVITIES/FUNDRAISING EVENTS**

All college-recognized clubs/organizations are encouraged to sponsor events on campus, including but not limited to fundraisers, giveaways, information tables, speakers, etc. Club fundraising proceeds should be used for an activity consistent with the Club charter. The following procedures shall be followed for any organization-sponsored activity:

- a) All on-campus fund raisers must be approved at least one week prior to the event by the Vice President of Student Services or designee. This is required to ensure that there is not a conflict on the proposed date with other campus or club activities.
- b) All funds raised must be immediately turned over to the Business Office for deposit in the College restricted club account.
- c) Any club or organization that is inviting individuals to campus for an event must have the activity pre-approved by Vice President of Student Services or designee at least two weeks prior the any public announcement or advertisement of the event to make sure that any ancillary event needs (including room set-up or security needs) can be accommodated.

- d) A club or a Club Advisor may not charge any event fees for an activity without the prior written approval by the President or designee at least four weeks prior to any public announcement or advertisement of the event.
- e) Clubs should not assume that they can use any WCCC space for an event without proper prior approval.
- f) Clubs may not broker College space to an external organization(s) for a fundraiser.
- g) Clubs seeking to use external space for a club activity, must request this use at least two weeks in advance so that the College can determine any insurance or other needs for such an event and to contact the venue and discuss any logistical needs.
- h) Alcohol may not be served or distributed at any club event.

A club should not assume an event is automatically approved. The College reserves the right to deny events because of safety, security or other concerns. The Vice President of Student Services or designee shall develop appropriate approval forms to assist the clubs in the request process.

### **310.6 REQUIREMENTS FOR FUNDS/BUDGETING/SPENDING**

The Student Government Association shall be responsible for allocating a portion of the Student Activity Funds. Allocations will be provided on a fiscal year basis (July 1 through June 30).

- A. The College will provide an annual appropriation to be used for student activities.
- B. The SGA Advisor, together with SGA officers and other administrators will meet at the beginning of each semester to determine how the annual appropriation shall be allocated between college sponsored and club sponsored activities. A draft annual budget SGA must be shared with the Vice President and Finance in September and January.
- C. All recognized student clubs/organizations desiring to receive an allocation from SGA must submit a Budget Request Form to the Office of Student Services by the due date given. Funds obtained are only to be used for those items approved by the SGA during the semester requested. SGA funds may not be used for activities for which all students are not eligible to be honored (example, induction ceremonies, award ceremonies).
- D. College Officials will meet with SGA officers on a periodic basis to provide budget projections for the year and to discuss any budget issues relative to the SGA.
- E. SGA funds shall not be used for travel or lodging expenses for a club or organization. SGA funds may be used for group bus trips that are open to the entire campus for educational or cultural activities.
- F. The College reserves the right to deny any allocation of funds approved by the SGA if the use of the funds 1) could lead to additional costs to be borne by students, 2) would violate college policy, laws or statutes, 3) would not be covered under insurance or 4) would create other issues that could impact WCCC or its community.
- G. The SGA and all clubs/organizations shall follow college procedures for procurement, including the use of Purchase Orders, where possible, and the proper recording of payment vouchers. The SGA and Student Clubs/Organizations shall work with College officials when procuring services so that they are able to receive any discounts available through the College.
- H. As needed, the College will establish Club and College accounts for student clubs and organizations. Any revenue generated from SGA funded activities must be deposited back into that organization's College account.

- I. SGA funds must be used for items that are consistent with college policy as well as state and federal laws, including, but not limited to: anti-discrimination laws, state ethical guidelines, Pay-to-Play legislation, college facility usage requirements and the College's code of ethics. Funds may not be used to create a hostile environment on campus or to subsidize events for non-WCCC students; however, Club funds may be used to subsidize expenses for the Club Advisor.
- J. SGA or club activities must be consistent with the College's insurance coverage and limitations. The College may require the SGA or a club or organization to obtain coverage for items not covered through the College's insurance coverage.
- K. The Treasurer of each organization shall keep an account book containing all revenue and expenditures of that organization.
- L. Clubs that do not comply with the financial procedures of the College may be suspended or prohibited from receiving future funds.
- M. Nothing herein above precludes the College from establishing additional allocation, funding or expenditure guidelines. Clubs that do not follow College procedures may lose recognition and/or be suspended for a period of time.

### **310.7 POSTING OF SIGNAGE BY SGA OR STUDENT CLUBS**

Since WCCC has limited space, it is necessary to restrict the amount of signage on campus. Student organizations must obtain approval from the Office of Student Services prior to posting any signs for club or event meetings, fundraisers or other activities. Student organizations should refer to the Vice President of Student Services or designee or to the website under Student Clubs and organizations for a listing of posting guidelines.

Each recognized organization also has its own bulletin board where it can provide information on its club or articles of interest that reflect the values of its club. Students must be mindful that there may be boundaries between public speech and offensive speech that may be considered derogatory to a member of a protected group covered under the NJLAD law or that could be considered pornographic in nature to public members or visitors to the campus. Clubs members should check with their advisor prior to posting something controversial on its organization's board.

Student clubs or organizations are welcome to use social media to advertise their club or organization. However, if they are identifying themselves as members of the WCCC community, they should ensure that their content is in compliance with the College's social media policy (Policy 203).

### **310.8 RESPONSIBILITY OF A CLUB ADVISOR**

A Club Advisor must be either a full-time employee, a regular part-time employee or a senior adjunct faculty member. All Club Advisors must complete federal VAWA training as part of the Club Advisor duties. In addition, consistent with federal, state and insurance requirements, a Club Advisor may have to undertake certain safety training in order to fulfill the responsibilities of a Club Advisor. Paid club advisors must be present at all fundraising and club activities and must demonstrate that they have committed at least 10 hours on campus during the year specifically to club activities outside of normal office hours or scheduled classroom time.

The Club Advisor must make sure that the organization has a Charter, a list of members that meet all WCCC requirements. Club Advisors for honor societies must validate that all club members meet the requisite GPA or other requirements for the specific honor society.

Club Advisors must make sure that monthly reports are filed with the Vice President of Student Services or designee. The Club Advisor is responsible for submitting all fundraising or activity proposals to the Vice President of Student Services or designee at least two weeks before a decision to participate must be made.

Violations of policies, rules, laws may result in the Club Advisor not only losing the club advising responsibilities, but also subject the individual to College discipline based on the level of the infraction and its impact on the College.

Club advisors shall not be compensated until after the Spring semester has ended and they have provided all of the required paperwork for their club.

### **310.9 CLUB TRAVEL**

There may be instances where a club or organization wishes to go off campus for an activity or event. Clubs must select events that are community college appropriate. Attendance at events for secondary school students, or conversely, for graduate school students are not appropriate for WCCC students. Club travel must be related to the club's charter of purpose.

For most events held off campus, club members are expected to get to and from an event without the support of the College or the responsibility of other club members or the Club Advisor. In this case, the club members and Club Advisor must sign a waiver form indicating that they understand that they are responsible for the transportation to and from the event. Any club travel to a location requires that the Club Advisor be present at the location.

There may be instances where group transportation is necessitated to a local event. In that case, the following rules shall be followed for such travel:

- 1) Any club travel must include the Club Advisor as a chaperone. The advisor must receive any training appropriate as designated by the College's insurance carrier.
- 2) College funds shall not be used to subsidize club travel.
- 3) It is the expectation that the Club Advisor will handle transportation needs and will be the primary driver for such an event. In the case that more than one vehicle is required, any additional driver(s) for club activities must be pre-approved through the College's insurance company. All local trips must be requested at least 2 weeks in advance of the trip using appropriate college forms.
- 4) Club Advisors must submit all pre-event and post-event documentation on a timely manner.

Local event means travel means travel within NJ or within 60 miles of the College. WCCC will not approve any out of region travel for any club or organization unless specifically approved by the Board of Trustees at least 3 months in advance of the event. Only travel for community college events (i.e., events where at least 75% of the participants are from community colleges) will be approved by the Board of Trustees.

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Revised: 08/19/09  
Revised: 09/14/16  
Revised: 06/28/18

## **311 STUDENT WORK-STUDY POLICY**

Through the Federal Work-Study (FWS) program (a component of Title IV of the Higher Education Act of 1965), the College is able to provide a limited number of part-time employment opportunities for eligible students in college departments. In addition, funds may be available through grant programs, such as the Educational Opportunity Program, to support student work-study positions.

Eligibility for a work-study position is contingent upon a student's financial need (as determined by information provided on the financial aid application), the availability of work-study funds, the availability of a work-study position that matches the student's skills, and evidence that the student is capable of meeting both the academic and working commitments of both the position and the student's coursework. The hiring and continued employment of a work-study student is under the sole discretion of the College. All work-study appointments must be made by the President and approved by the Board of Trustees on a semester-by-semester basis. There is no assumed continuation of a position from one semester to another.

### **Eligibility for Work-Study**

In order to be considered for a work-study position, a student must apply for financial aid and meet federal eligibility requirements, including certain income and enrollment standards. If a student is funded through a grant program (instead of FWS), the student must meet any grant eligibility requirements. A change in a student's enrollment status (including the withdrawal from classes) may affect a student's eligibility to secure or continue work-study employment. The official or unofficial withdrawal from all classes will automatically end student employment at WCCC.

Successful applicants must demonstrate that they are capable of meeting both educational and work expectations. The College shall establish job descriptions for each type of work-study position. Students must be able to demonstrate that they have the requisite skills to successfully meet the expectations of the position. The College may consider factors such as relevant educational experience, prior work experience and student availability for work in selecting a candidate(s) for a work-study position. Certain positions may require specific educational requirements. .

Given the broader responsibilities of the tutoring position (ability to work one-on-one with students from varied educational backgrounds and the need to accommodate students who may have specific learning challenges, the College encourages the hiring of tutors with teaching experience.(i.e. "professional tutors"). However, there may be instances where peer tutors can effectively assist students with specific subject tutoring needs. So that the College can provide assurance to the Community that its tutors are capable of assisting students, all peer tutors must be at least 18 years old with a high school diploma or a GED, with documented mastery of the topic to be tutored (WCCC

transcript showing achievement, at least fifteen credits completed at WCCC and a recommendation by one or more faculty members.

## **Procedure**

Students seeking FWS employment shall complete the FWS Application available in the Financial Aid Office (FA). FA will verify a student's eligibility and send eligible applications to Human Resources (HR). HR will forward student applications to the appropriate department supervisor based on the areas of interest identified by the applicant and the availability of a position in that areas. The supervisor will contact the student directly and schedule an interview. As appropriate, this interview may include an assessment of a student's ability for the position (particularly in the case of a tutoring position). FWS students will be held to the same standard of employability as non FWS workers. Once the department supervisor has selected a student for hire, he/she will notify HR to begin the employment process. Each student will complete a WCCC Employment Application and all other necessary employment paperwork.

## **Employment Requirements**

Student work-study schedules are determined by the department based on workload needs and the availability of work-study funds. Work-study students may work up to twenty (20) hours per week while classes are in session. They may work up to twenty-five (25) hours per week during the summer and semester breaks. Work-study students must present their schedules to their supervisors at the start of the semester and may not work during scheduled class times.

Work-study students are responsible for keeping a daily record of their hours worked and for completing a FWS time sheet, which must be signed-off by the department supervisor. Both the student and the supervisor are responsible for ensuring that the timesheet is submitted by the deadline dates established by the Payroll office.

Students may take a fifteen (15) minute unpaid break after working four (4) consecutive hours. If students are scheduled to work six (6) or more hours, they must take an unpaid thirty (30) minute break. The minimum hourly rate for work-study positions will be the prevailing New Jersey minimum wage rate. The rate for tutors or other specialized work-study positions may be established at a higher rate by the Board of Trustees.

Work-study students are considered financial aid recipients rather than employees and are earning a portion of their financial aid funds through employment in campus positions. As such, they are not subject to FICA taxes and are not eligible for pension or unemployment benefits. All work-study students are required to abide by the Campus Code of Conduct and may be subject to discipline, including the loss of work-study employment, for the violation of campus rules.

## **Work-Study Positions**

The College's overall FWS budget is determined annually by the federal government. Allocation of these funds to various departments are made through the annual budget process. Any department wishing to employ a work-study student must provide the Human Resources department with a job description for each available position.

A Department shall not exceed its allocation of work-study funding. All students must be advised that their employment may be terminated should the department budget be exhausted and/or they have met their federal work-study maximum allocation. The Payroll and Financial Aid departments will work together to monitor the students' earnings to ensure that budgetary parameters are met and the students do not exceed their maximum earning potential.

FWS students receive three-quarters of their funds from federal financial aid and one-quarter from campus matching funds. In rare cases where a student has exhausted work-study funds and/or the department has exhausted its work-study allocation, the student may be allowed to temporarily retain employment through 100% college funds if the department is able to reallocate funds to support the position. This temporary assignment may be made only in special circumstances where the continuation of the work-study position is the most effective option for the College.

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Revised: 02/10/21

## **312 TECHNOLOGY USE POLICY**

Technology resources are valuable, and their abuse can have a far-reaching negative impact on the entire campus. The same standards that apply in the non-computing environment apply in the computing environment. In providing computing resources, WCCC has the responsibility to inform its users (faculty, staff and students) of the rules and procedures regarding their usage. Users are responsible for understanding these rules so that they can abide by them.

Policies regarding conduct generally address issues such as treatment of other individuals, theft, destruction of property or vandalism, and access (i.e. who can use what and when). The WCCC Technology Use Policy is intended to address these elements as they relate to the evolving landscape of computing, network, and information resources. Because technology changes so quickly, no policy dealing with it can hope to remain current in all its details. The policies delineated here should be considered examples, and not an exhaustive list of prohibited behavior. Unauthorized use has two meanings regarding technology issues. First, it can mean that an individual is not authorized to use a machine, network, or other resource, for any purpose. Second, it can mean that although an individual is authorized to use a particular resource, certain activities are prohibited.

As with all other organizations, standard, responsible systems administration requires close monitoring by WCCC network administrators of the usage of College information systems. E-mail is not guaranteed to be private or confidential. All electronic communications are College property. When necessary to investigate violations of these and other College policies, the College will examine the contents of "personal" directories, e-mail folders, and other resources accessible to users. Such examinations are not done frivolously. They are conducted only by the Office of Information Technology, under the direction of the Vice President of Finance and Operations, unless directly ordered otherwise by the College President.

### **I. Introduction**

It is essential for all users to practice ethical behavior in their use of technology resources since they have access to many valuable resources and their computing practices can adversely affect the work of other users. Most users act responsibly, but the few who do not, either through ignorance or by intent, have the potential for disrupting all users' work. Warren County Community College (WCCC) has the responsibility of securing all technology systems to a reasonable and economically feasible degree against unauthorized access while making systems accessible for legitimate and innovative uses. This responsibility includes informing users of an expected standard of conduct and the punitive measures for not adhering to them.

The following list constitutes a code of technology practice for users. Disciplinary action for violating the code shall be governed by the applicable provisions. Violations may also result in criminal prosecution under State and/or Federal law. Every student, employee, instructor or other person using the College's information technology systems agrees to abide by the tenets set forth in the following policy.

## **II. Access**

- A. Users may only use network accounts that have been authorized for their use.
- B. Users must identify work produced through technology with their own names so that responsibility for the work can be determined and users can be contacted in unusual situations, e.g., the return of misplaced output.
- C. Users must use their network accounts solely for the purposes for which they were authorized.
- D. Users must not attempt to modify WCCC technology equipment or resources.
- E. Users must not attempt to subvert the restrictions associated with their computer accounts.
- F. The College has password protocols established to ensure that each user has a unique password when an account is set up as well as a self-service password system to assist students. Users are responsible for the usage of their computer accounts. Users are required to maintain secure passwords for systems that support them and take precautions against others obtaining access to their computer resources. Each user is responsible for all transactions made under the authorization of his or her system account.

## **III. Use**

WCCC's technology resources, including hardware, software, wired and wireless networks, are provided for the use of students, staff and faculty in fulfilling their needs that relate to the mission of the College. Other usage is prohibited. This includes, but is not limited to:

- A. Unauthorized access of a file to use, read or change the contents, or for any purpose.
- B. Unauthorized transfer of a file.
- C. Unauthorized use of another individual's network account. .

- D. Use of WCCC technology resources to interfere with the work of another student, faculty member or College official.
- E. Use of WCCC technology resources to send or receive what may be deemed under the circumstances to be obscene or inappropriate.
- F. Interference with normal operation of the College's network systems or databases.
- G. The utilization of a network access account for the purposes of development and/or utilization of malicious code or viruses, The only exception would be if materials were developed as part of a class assignment under the explicit direction of a faculty member. This activity must be authorized in advance by the Office of Information Technology.
- H. Solicitation for charity, personal needs or other organizations/persons without approval of the College.
- I. Activities related to the promotion and/or running of a personal for-profit venture or other activities unrelated to the provision of an undergraduate education.
- J. Using WCCC technology to undertake harassment or behavior that is in violation of the Campus Code of Conduct..
- K. Promoting and sending chain letters, mass mailings or personal advertisements using college technology resources.
- L. Sending electronic communications or email that obscures the identity of the sender, misrepresents the College or represents the sender as someone else.
- M. Harassing students or employees at the College or other organizations.
- N. Sexual, racial, ethnic, religious or any other harassment of any individual or group of individuals.
- O. Access to websites, listservs, software and other resources that do not provide a scholarly treatment of pornography, hate speech, or activity, which otherwise would be deemed a violation of existing law. When the scholarly merit of such materials is in question, the judgment of the College administration will be final.
- P. Misuse, intentional damage or loss of technology equipment owned by WCCC.
- Q. Use of technology equipment without appropriate safeguards to protect sensitive college documents.
- R. Use of technology systems in a way that violates Copyright policies or laws (see Policy 404 for additional information).
- S. Any other uses prohibited by WCCC policies and/or state or federal regulations or statutes.

All electronic communications through the College's network are considered College property. Employees must be aware that certain communications may be considered public and therefore subject to the State's Open Public Records Act. As a result, the College reserves the right to examine, monitor and regulate communications and network usage of employee and student accounts.

The College also reserves the right to manage the technology network, equipment and infrastructure to ensure that the educational mission of the WCCC can be served. This may mean include the blocking or limiting access and usage of network service to individually paid subscription services or gaming sites.

Nothing above or herein is intended to violate "Academic Freedom." Under "Academic Freedom," material otherwise not appropriate for use on the College's technology or networks will be exempt from this policy. However, the College shall not protect or indemnify employees who access materials that are considered illegal and monitored by law enforcement officials (example: child pornography sites). To avoid any misunderstanding, it is required that any instructor consult with the Academic Vice President prior to the use of questionable, controversial or potentially offensive print or digital materials.

#### **IV. Individual Rights, Privileges and Responsibilities**

- A. Members of the WCCC community have the right to be free of harassment. Usage of the College's technology systems to violate this basic right is strictly prohibited and will be treated with the utmost gravity.
- B. The College understands that providing network connectivity and advanced technology often facilitates personal and recreational usage of those systems. However, the use of the College's technology systems for activities not directly related to learning (for students) or performing of work duties (for staff and faculty) is a privilege. While these activities are not encouraged, they are tolerated so long as they:
  - 1) do not infringe on the rights of other users to use the College systems for bona fide academic or work-related activities
  - 2) do not interfere with the accomplishment of one's work responsibilities
  - 3) do not violate any other portion of these technology use policies.
- C. The use of the College's wireless infrastructure for the purposes of streaming third- party, non-academic content is strongly discouraged. The College reserves the right to restrict non-academic content to ensure adequate bandwidth for instructional needs. The college offers no guarantee of access to third- party, non- academic content through personal devices. Wireless access privileges may be revoked at any time for failure to comply with any of the above listed requirements.
- D. As a function of accepted and responsible system management, network administrators may conduct examinations of any or all files on the network to monitor compliance with these usage policies and to insure the effective and appropriate functioning of WCCC technology infrastructure. This is a legal right of the College and any other organization that provides similar systems for the execution of its mission.
- E. The College regards electronic and voice communications as vehicles for the delivery of information and not as mechanisms for the retention or archiving of such information. It is the responsibility of

the individual sender and/or receiver of such messages to determine which information should be retained or archived. Records retained by an individual, even if they are retained on an electronic medium, are subject to College policies, State and Federal laws.

## **V. Software**

- A. Warren County Community College licenses the use most of its computer software applications from external vendors. The College does not own this software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce or modify it.
- B. Users agree not to copy, disclose, transfer, or modify, without written permission, any computer software or documentation that the College provides its users. The sole exception to this policy is software clearly marked as belonging to the public domain.
- C. Media containing licensed software and the accompanying documentation is to be used in College office areas, classrooms, and computing labs, and is not to be removed from such designated areas.
- D. All use of software provided by WCCC and all use of the College's computer and telecommunications equipment is subject to vendor license agreements, this policy statement, and applicable Federal and State law. Users agree to comply with all such restrictions.

## **VI. Secure Device Policy**

Warren County Community College issues various types of technology equipment to employees in order to ensure that college services can be effectively provided to students and the Warren County community. This equipment may include workstations, laptop, notebook and tablet computers or other technology devices. Employees issued these devices are permitted to use the equipment off campus solely for work-related activities unless otherwise authorized by the Board of Trustees. Employees must return all equipment upon separation from the College.

College devices intended for students are not intended to leave the campus. However, in an emergency circumstance (such as the COVID-19 pandemic) equipment may be loaned temporarily to students. All users of college-owned devices are expected to return devices to the College at the end of a loaner period or the end of an assignment or semester.

In order to best secure student and employee data, all college-owned computing equipment containing confidential or intending to store college data that leaves the College campus shall be protected with encryption technology. The College shall maintain procedures for the securing equipment in accordance with the accepted industry encryption standards.

## **VII. Enforcement**

- A. Complaints against any user for violation of these policies shall be the subject of full and immediate investigation and may result in the suspension or revocation of access to WCCC technology or other sanctions in accordance with College policy.

- B. Users wishing to make a complaint or report violations of these policies should contact the Vice President of Finance and Operations.
- C. Revocation of access may be done at any time by the Office of Information Technology to protect users' rights and privileges and to safeguard College resources.
- D. If violations of these Technology Use Policies occur, those responsible for such abuse will be held accountable and may be subject to disciplinary action and may also be subject to criminal investigation, as warranted.
- E. Violations to these policies will be forwarded to the Vice President of Finance and Operations at (908) 835-2355 for disposition and action. The Vice President may, at his or her discretion, involve other individuals to assist in resolution of the matter. When deemed necessary, the College may consult or turn the matter over to the appropriate legal authority.
- F. Any employee who abuses the privilege of the College-facilitated access to email, the internet or the use of hardware or software may be subject to disciplinary action up to and including termination of employment.

Approved: 12/17/14

Revised: 2/14/18

Revised: 9/16/20

### **313 LACTATION POLICY**

The purpose of this Lactation Policy is to ensure that Warren County Community College provides nursing individuals with adequate time and a private space to express breast milk while on campus. This policy applies to all students, faculty, and staff.

Warren County Community College is committed to supporting students, faculty, and staff who are balancing their academic or professional responsibilities with the needs of parenting. The College understands that nursing individuals may need to express milk during their time on campus and is dedicated to accommodating this need in a respectful and supportive manner.

This policy applies to all students who may need to express milk during academic activities, as well as faculty and staff during their work hours. The College will provide nursing individuals with reasonable break periods and access to a private, hygienic space for lactation purposes.

A designated lactation room is available for use in the women's restroom in the Annex wing. This space is private, clean, and intended for nursing purposes, providing a quiet and comfortable environment for expressing milk.

By offering this accommodation, the College affirms its commitment to fostering a campus environment where all individuals can thrive academically and professionally while meeting their personal and family needs.

Approved: 05/17/25

## **CHAPTER IV: ACADEMIC SERVICES POLICIES (400)**

### **401 401 GRANTING DEGREES AND CERTIFICATES**

The College is authorized to award degrees of Associate in Arts, Associate in Science , Associate in Applied Science, and Associate in Fine Arts, and to award certificates and specialized certificates to students who have successfully completed the curriculum requirements of approved programs as established by the Board of Trustees and set forth in the College Catalog. The curriculum requirements for awarding degrees and certificates shall conform to the standards established in this policy.

Reaffirmed: 08/10/05

Revised: 08/19/09

Reaffirmed: 12/20/17

Reaffirmed: 11/18/20

#### **401.1 TRANSFER PROGRAMS**

The Associate in Arts (A.A.) degree is to be awarded to those who successfully complete programs emphasizing the liberal arts, humanities, and other fine and performing arts. These programs are transfer oriented.

The Associate in Science (A.S.) degree is to be awarded to those who successfully complete programs emphasizing mathematics, the biological or physical sciences, criminal justice, nursing, and allied health programs. These programs are primarily transfer oriented.

The Associate in Fine Arts (A.F.A) is to be awarded to those who successfully complete a program in Creative Writing. This program is transfer oriented.

Revised: 08/19/09

Reaffirmed 12/20/17

Reaffirmed: 11/16/2022

#### **401.2 CAREER PROGRAMS**

The Associate in Applied Science (A.A.S.) degree is to be awarded to those who successfully complete programs emphasizing preparation in the applied arts and sciences for careers, typically at the technical or semi-professional level. These programs are designed to prepare students for job entry at the completion of the two-year program, notwithstanding any articulation agreements with four-year programs that may be in effect for a particular A.A.S. program.

Revised: 08/10/05

Reaffirmed: 12/20/17

Reaffirmed: 12/14/2022

#### **401.3 CERTIFICATE PROGRAMS**

A certificate or specialized certificate program shall be a credit-bearing course of study which, by virtue of educational content or duration, does not satisfy requirements for an associate degree program, but which is specifically designed to offer content and skill acquisition and other experience appropriate to the objectives of such a program. An academic program Certificate shall be at least thirty (30) credit hours in length and shall have a minimum of six (6) credits of General Education. A specialized certificate shall be less than thirty (30) credit hours and shall represent in-depth study in a particular technical or skill area.

Revised: 08/10/05  
Reaffirmed: 12/20/17  
Reaffirmed 02/08/23

## **402. DEGREE REQUIREMENTS**

### **402.1 ASSOCIATE DEGREE PROGRAM REQUIREMENTS**

An associate degree program shall be a course of study requiring not less than sixty (60) nor any more than sixty (60) credit hours, except when required for licensure or accreditation by a recognized agency.

Programs shall include both General Education and major (program) requirements. General Education requirements shall be in accordance with Policy 402.2.

As part of these associate degree requirements:

- Remedial education courses shall not be used to satisfy General Education or major requirements.
- Associate in Applied Science (A.A.S.) degrees will require mathematics proficiency in technical mathematics only.

Revised: 08/10/05  
Revised 05/16/15  
Revised 02/13/19

### **402.2 GENERAL EDUCATION REQUIREMENTS**

General Education and other requirements for the associate degree shall include the following: a broad distribution of courses contributing to the student's general education emphasizing knowledge acquisition, comprehension, and evaluating ideas; the ability to think critically and creatively; and the capacity to communicate effectively. Students in both associate degree and certificate programs must meet certain general education requirements.

In 2008, legislation was enacted ensuring that credits earned by students graduating with an Associate in Arts (A.A.) or an Associate in Science (A.S.) degree are fully transferable to four-year public colleges. In order to ensure a consistency of educational standards statewide, the New Jersey President's Council has adopted the New Jersey Community College General Education Guiding

Principles for Affirming Gen Ed Status (“Guiding Principles”) as the required guide for general education transfer credits.

The Guiding Principles call for students to meet certain general education requirements in specific competency categories.<sup>2</sup> This includes the number of credits to be earned in each competency area. Each community college has the flexibility in determining curricula needs to align specific general education courses within these broad categories to individual program requirements. The categories are as follows:

- **Communication (Written and Oral Communications)**, defined as courses that prepare students to communicate effectively in speech and writing, and demonstrate proficiency in reading designed to enhance facility in the English language including English Composition I, English Composition II, Speech or Interpersonal Communication.
- **Mathematics (Quantitative Knowledge and Skills)**, defined as any college level mathematics course that builds upon a demonstrated proficiency in basic algebra that uses mathematical and/or statistical concepts and operations to interpret data accurately and solve problems.
- **Science (Scientific Knowledge and Reasoning)**, defined as any course whose primary focus is the scientific method and exploration of scientific principles and theory. Generally these courses are either biological or physical sciences (chemistry and physics).
- **Technology (Technological Competency)**, defined as courses that emphasize common computer/technology skills to access, analyze, or present information, solve problems, and communicate interactively. These courses cannot be limited to one application or programming language.
- **Social Science (Society and Human Behavior)**, defined as any introductory course from among the disciplines of anthropology, economics, geography, political science, psychology, or sociology. This category excludes “applied” courses which are dependent on the theories and principles taught in the “introductory” courses.
- **History (Historical Perspective)**, defined as any broad-based course or sequence of courses in Western, non-Western, American History, or World Civilization. Survey courses that focus on a major time period or continent (such as Asia, Europe and Africa) are included along with courses that focus on a broad-based examination of historical perspectives (such as African-American History or Women in History). Courses that focus on a single ethnic, cultural, or social group are not included in this category.
- **Humanities (Humanistic Perspective)**, defined as any broad-based course in the history or appreciation of art, music, or theater; literature; a foreign language; philosophy and/or religious studies; and/or an additional broad-based history course meeting the definition of Historical Perspective (as shown above).

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<sup>2</sup> Note that individual courses may meet the definition of more than one general education category.

- **Diversity (Global and Cultural Awareness)**, defined as any course whose primary purpose is the study of culturally diverse people, including multicultural societies/peoples or the study of the diverse life experiences of societal subgroups. Societal groups may include those connected through race, class, gender, ethnicity, language, and religious orientation.

In addition to these requirements, the Guiding Principles call for colleges to integrate two additional goals into select courses. **Ethical Reasoning and Action** includes the study of the ethical implications of issues and situations. **Information Literacy** requires the College to ensure that students can locate, evaluate and effectively use information resources (such as print or web-based information sources).

The Guiding Principles also set the minimum General Education requirements for each associate degree and certificate program as follows:

- For the Associate in Arts (A.A.) degree programs, the general education requirements shall total not less than forty-five (45) credit hours, in an array of representative courses in each of the following categories: communication; mathematics, science and technology; social science, humanities; history, and diversity courses.
- For the Associate in Fine Arts (A.F.A.) degree program, the Associate in Applied Science (A.A.S) and the Associate in Science (A.S.) in Nursing, the general education requirements shall total not less than twenty (20) credit hours, in an array of representative courses from each of the following categories: communications, mathematics, sciences or technology; social sciences, and humanities.
- For all other Associate in Science (A.S.) degree programs, the General Education requirements shall total not less than thirty (30) credit hours, in an array of representative courses from each of the following categories: communications, mathematics, sciences or technology; social sciences, and humanities.
- For Certificate programs, the General Education requirements shall total not less than six (6) credits in general education.

Within the framework of the Guiding Principles, the curricula for degree and certificate programs shall be consistent with the institutional plan and programmatic mission of Warren County Community College.

These courses shall be reviewed as necessary by the statewide Course Review Committee or other designated statewide groups as part of an effort to ensure that all community colleges are in compliance with the Guiding Principles. Warren County Community College will update its general education requirements in accordance with any approved changes in the Guiding Principles.

Warren County Community College shall publish the general education requirements by program in its catalog and make this information available on its website so that students are aware of individual degree requirements.

Revised: 01/13/10

Revised: 12/18/13  
Revised: 12/20/17  
Reaffirmed: 09/16/20

## **402.3 OTHER DEGREE REQUIREMENTS**

To be eligible for the award of a degree or certificate, all students must satisfy the following requirements:

- Earn a cumulative grade-point average of 2.0 and complete the general education and prescribed career course work for their major.
- Complete fifteen (15) credits toward a degree at the College unless waived by the Chief Academic Officer or his or her designee.
- Complete nine (9) credits toward a certificate at the College.

The College reserves the right to waive the requirement of credit completion at the College under special circumstances on a case by case base.

Revised: 08/10/05  
Revised: 09/16/15  
Reaffirmed 02/13/19  
Revised: 02/08/23

## **402.4 ACADEMIC YEAR/SEMESTER**

The regular academic year shall normally fall within a ten-month period and include a minimum of thirty (30) weeks, or its equivalent in duration, of regularly scheduled student-faculty instructional activity. Holidays and summer sessions are to be excluded.

Courses are recorded in terms of credit hours. One (1) hour of credit is normally earned by one (1) semester hour of class work per week per semester. The fall and spring semesters shall be scheduled as fifteen (15) week sessions with credits assigned in accordance with Policy 402.6.

Nothing here nor above precludes the College from offering courses for shorter time durations (including summer, intra- and inter-term sessions) provided they meet the assignment of credit-hour policy requirements.

Revised: 06/30/10  
Revised 06/18/14  
Reaffirmed 02/13/19

## **402.5 ADDITIONAL DEGREES**

A student who desires a second associate degree from Warren County Community College must complete all course requirements as outlined in the College Catalog for the additional degree.

Revised: 08/10/05  
Revised 06/24/2015  
Reaffirmed 02/13/19

## **402.6        ASSIGNMENT OF CREDITS**

Federal regulations require colleges to establish and publish their policy on how student credit hours are calculated for degree and credit-bearing certificate programs.

Warren County Community College determines credit hours in compliance with New Jersey licensure requirements (N.J.A.C. 9A:1-1.2), which define a credit hour as follows:

“Semester credit hour” means 50 minutes of face-to-face class activity each week for 15 weeks (or the equivalent attained by scheduling more minutes of face-to-face class activity per week for fewer weeks in the semester) in one semester complemented by at least 100 minutes each week of laboratory or outside assignments (or the equivalent thereof for semesters of different length).

Credit assignment for field studies, laboratory sections, internships and clinical assignments are calculated using a 3:1 ratio. That is, 3 hours per week for a 15 week period (or equivalent for shorter duration classes) is assigned a 1 credit course load.

The College requires instructors teaching all course sections of the same course use the same digital text(s) and resources through Cengage Unlimited, as well as the same master syllabus. This master syllabus covers the General Education Goals, the Student Learning Outcomes and the Suggested Means of Assessment, as well as the content areas to be covered and assessed in the course. Distance education and hybrid course sections will use the same master syllabus and instruction shall be delivered using content that is identical to “face-to-face” courses. Therefore, the College can demonstrate that the distance education and hybrid courses are entitled to be calculated with the same credit load as the on-campus sections.

All credit courses must be submitted for review by the New Jersey Community College Course Review Committee. This committee approves the assignment of credits and approves credit load for purposes of determining state funding allocations. All new programs must be reviewed and approved by the New Jersey President’s Council in accordance with N.J.S.A. 18A:3B-8(c). The assignment of credits in externally credentialed programs is also subject to the requirements of external accrediting agencies.

Approved: 02/27/13  
Revised: 12/20/17  
Revised: 09/16/20

## **403.1        ACADEMIC REQUIREMENTS**

The following grading system shall be utilized:

GRADE	EVALUATION	QUALITY POINTS
A	Superior	4.0
B+	Very Good	3.5
B	Good	3.0
C+	Above Average	2.5
C	Average	2.0
D	Below Average	1.0
F	Failure	0.0
AW	Academic Withdrawal	*
W	Withdrawn	*
WP	Withdrawn Passing	*
WM	Withdrawn Medical	*
WA	Withdrawn Active Military	*
WF	Withdrawn Failing	0.0
XF	Failure to Officially Withdraw /Stopped Attending	0.0
NF	Failure to Officially Withdraw/Never Attended	0.0
I	Incomplete	*
AU	Course Audited	*
P	Passing	*

\* Does not carry quality points

Revised: 03/28/07

Revised: 12/17/14

Revised 12/19/18

Revised 11/16/21

## 403.2 REPEAT GRADE POLICY

Any credit-bearing course taken at WCCC may be repeated by enrolling in the same course during a future semester.

When a course is repeated, the highest grade earned will be computed into the cumulative quality point average. The original grade(s) will continue to appear on the transcript marked as a repeated grade, but will not be included in QPA computations.

Students may retake a course more than once. However, if they have successfully completed the course with a passing grade, they are only eligible to repeat a course once using federal financial aid. Students should contact the Financial Aid Office to determine financial aid eligibility for repeated courses.

Revised: 08/10/05

Revised: 12/17/14

Reaffirmed: 12/21/21

## 403.3 INCOMPLETE GRADE

A grade of "I" is defined as an inability to complete the requirements of a course due to circumstances beyond the student's control. The student will then arrange with the instructor to make up all incomplete work within four weeks after the end of the semester or session. The Vice President of Academics may permit further extensions based on extenuating circumstances.

A grade of "I" (incomplete) that has not been converted by the end of the four week allotted period automatically becomes an "F."

Revised: 08/10/05

Revised 06/24/2015

Reaffirmed: 12/22/21

#### **403.4 TRANSFER POLICY**

Transfer students are welcome at Warren County Community College (WCCC). Students seeking to transfer credits from another institution into WCCC must meet the following criteria:

- 1) The institution where the credits were earned must be regionally accredited by the Council on Higher Education (CHEA);
- 2) The student must have successfully completed the course, earning a grade of C or better (unless a higher grade is required for a selective admission program as published in the College catalog);
- 3) The course to be transferred must be applicable to a WCCC degree or certificate program (for example, a course in landscape management cannot transfer into WCCC if the college does not offer a landscape management program); and
- 4) The student may not transfer more than 45 credits toward an Associate's degree program (or 21 credits toward a Certificate program)

In order to have credits considered for transfer, a student must submit an official transcript from a previously attended institution to the Office of Student Services. An "official transcript" means a sealed transcript or a transcript sent through secured electronic means directly from the sending institution. (Nothing hereinabove precludes a student from registering for classes using an "unofficial transcript" as a guide for course advising. However, credits shall not be officially transferred into Warren County Community College until a review of the official transcript review is completed.) Evaluation of credits from International institutions will be done through the World Education Service (WES).

Students should be notified within 30 days of the receipt of the official transcript of the transfer credits accepted by WCCC. Transfer credits carry no grade but shall be reflected as TR (transfer grade) on a WCCC transcript. The grade earned at the previous college or university shall not be calculated into the student's grade point average.

Warren County Community College participates in New Jersey Transfer and will honor all course equivalencies listed on their site ([njtransfer.org](http://njtransfer.org)). These credits shall be transferred once an official transcript is received and reviewed.

Students who have demonstrated certified college level proficiency on nationally recognized achievement exams, such as the Advanced Placement (AP) test or the College Level Examination Program (CLEP), can receive transfer credits for applicable Warren County Community College courses. Students must provide official documentation from the certification agency to be awarded any transfer credits. Transfer credits awarded by WCCC for AP, CLEP or other nationally recognized achievement exams may not necessarily be transferrable to other colleges and universities as each institution makes its own determination on the acceptance nationally recognized credit by examination programs.

Students may appeal the evaluation of transfer credits and/or appeal that previous coursework count toward a current degree program. All requests for course substitutions shall be made at least 30 days prior to the start of the semester for which the substitution is desired (or prior to the deadline for a graduation application) in order for the student to receive timely notification regarding the transfer appeal.

Revised: 08/10/05

Revised: 2/27/13

Revised: 05/17/14

Revised: 12/20/17

Reaffirmed: 09/14/22

#### **403.5 CREDIT BY EXAMINATION**

A student may challenge for credit any course at Warren County Community College. A maximum of 30 credits may be earned through credit by examination. A student attempting credit by examination will be awarded only a grade of P, except that in the case of failure no grade will be recorded. A fee may be assessed for each exam administered.

Revised: 08/10/05

Reaffirmed: 12/20/17

Reaffirmed: 2/11/25

#### **403.6 CURRICULUM REQUIREMENTS**

The curriculum requirements as set forth in the most recent College Catalog for the degree and certificate programs offered by the College are hereby adopted and continued. The College President or designee is authorized to approve revisions to curriculum requirements when necessary based upon program changes, new courses added, courses discontinued, or to satisfy accreditation standards. All continuously enrolled students are held to the standards of the catalog in effect at the time of admission.

Approved: 04/22/83

Revised: 08/10/05

Reaffirmed: 12/20/17

Reaffirmed: 06/21/23

#### **403.7 SATISFACTORY ACADEMIC PROGRESS STANDARDS**

## **General Requirements**

Federal Regulations require institutions of higher education to establish minimum standards of satisfactory academic progress for students receiving financial aid. Each college must establish a Satisfactory Academic Progress (SAP) policy that defines the academic standards a student must meet for continued federal financial aid eligibility. The SAP policy must include both qualitative and quantitative measures, taking into account both a student's GPA and the number of credits attempted in a degree program. An institution is allowed some flexibility in setting these standards as long as:

- a) The student does not attempt more than 150% of the credits for their degree program (for example, if a student is in a 60 credit degree program, they may only receive financial aid for up to 90 credits); and
- b) The student still is able to mathematically meet the College's graduation standards (i.e., achieve at least a 2.0 GPA).

The federal government requires institutions to check a student's progress not less than once a year. The College may allow students to appeal if they are not currently meeting SAP requirements and may allow students to receive financial aid during a probationary period. The policy must also discuss issues such as transfer credits and the treatment of remedial education credits. Finally, the policy may prescribe how the student can re-establish academic progress and re-gain eligibility for federal financial aid.

The SAP policy applies to federal grants, work-study assistance and loans. The State of New Jersey has established separate requirements for eligibility for various state programs.

## **WCCC Satisfactory Academic Progress Standards**

At WCCC, the standards for maintaining Satisfactory Academic Progress (SAP) are as follows:

- **Qualitative Standard**

Federal regulations require students to attain a minimum cumulative grade point average (GPA). This GPA standard must be at least as stringent as the College's GPA requirements. The College has developed a graduated minimum GPA requirement, as shown on the next page, which increases along with the number of credit hours attempted.

- **Quantitative Standard**

Federal Regulations also limit receipt of federal financial aid to no more than 150% of the course work required for any particular degree or certificate. Transfer credits that are accepted towards a certificate or degree program will be included in the hourly limitation but are not included in a student's GPA.

Satisfactory completion is defined as a letter grade of A, B, C, D or P. Unsatisfactory completion is defined as a letter grade of F, I, W, WF, WP, NF or XF.

## **WCCC Qualitative and Quantitative Standards for SAP**

Below is a summary of the qualitative and quantitative standards that the College will follow for students in **A.A., A.S., A.F.A. and A.A.S. programs**:

<b>Credits Attempted</b>	<b>Credits Earned</b>	<b>Cumulative GPA</b>
0-11 credits	----	----
12-18 credits	50.0%	1.4
19-36 credits	66.6%	1.6
37-48 credits	66.6%	1.8
49 + credits	66.6%	2.0

WCCC does not include remedial credits in “credits attempted,” “% completed,” “maximum timeframe” or “GPA.” Additional progress standards exist for remedial classes (see below). Students must meet academic progress standards for both college level and remedial courses.

Federal regulations preclude the awarding of financial assistance to students who cannot mathematically meet their degree or certificate requirement. Should it be determined that a student cannot successfully complete a degree or certificate program within the 150% program timeframe, the student will be ineligible for any additional financial aid.

### **Remedial Courses**

At WCCC, remedial Courses do not count in the calculation of a student’s GPA, % program completed or maximum timeframe because they are not college level courses. However, under federal guidelines, a student must meet college-determined qualitative standards in remedial courses to continue to receive financial aid. WCCC has established the qualitative standard for a remedial course as earning a “C” or better. The College has defined a student has successfully meeting this standard if they meet the following parameters:

**For students who first matriculated after July 1, 2016 (and need only a maximum of 3 remedial courses):**

Remedial Credits Attempted	Remedial Credits Successfully Earned (C or better grade)
>6	n/a
9	3
12	6
Over 12	9

Students cannot receive financial aid for any remedial courses attempted above 18 credits.

**For student who first matriculated before July 1, 2016 (and may have needed up to 5 remedial courses):**

Remedial Credits Attempted	Remedial Credits Successfully Earned (C or better grade)
>9	n/a
9-11	3
12-15	6
16-18	9
19 and above	12

Students cannot receive financial aid for any remedial courses attempted above 30 credits.

### **Repeat Grade Policy**

Any credit-bearing course taken at WCCC may be repeated by enrolling in the same course during a future semester.

When a course is repeated, the highest grade earned will be computed into the cumulative quality point average. The original grade(s) will continue to appear on the transcript marked as a repeated grade, but will not be included in QPA computations.

Students may retake a course more than once. However, if they have successfully completed the course with a passing grade, they are only eligible to repeat a course once using federal financial aid. Students should contact the Financial Aid Office to determine financial aid eligibility for repeated courses.

### **Transfer Credits**

Credits earned at another institution and transferred into a WCCC degree program will count towards credits attempted and credits completed, although they will not be calculated into the GPA average. Students may appeal to remove from the quantitative standard any transfer credits that do not apply to their current degree program.

### **Withdrawal Grades**

Students who withdraw before the 10<sup>th</sup> week of class receive a "W" grade. Students who withdraw after the 10<sup>th</sup> week receive either a "WP" (Withdrawn Passing) or a "WF" (Withdrawn Failing) grade. Credits attempted in any course where a student receives a W, WP or a WF will count toward the quantitative credit standard. The W or WP grades do not affect the GPA and therefore will not count in the qualitative standard. However, a WF will be considered an "F" and calculated into a student's GPA.

### **Medical Withdrawal**

In rare instances, a student may need to withdraw from one or more classes due to a severe medical circumstance. Students seeking a medical withdrawal must submit a request in writing to the Special Considerations Committee along with appropriate documentation from a medical provider.

Should a medical withdrawal be approved, a student will be assigned a Withdrawn Medical (WM) grade. WM grades will not count toward a student's academic progress. Students with medical issues should contact the Financial Aid Office for additional information.

### **Withdrawal for Active Duty**

Students who need to withdraw in order to participate in active duty in the military will receive a WA grade in their course upon the presentation of appropriate military paperwork. WA grades will not count toward a student's academic progress. Students who need to withdraw from classes due to a call to active duty should contact the Financial Aid Office for additional information.

### **Incomplete Grades**

A grade of incomplete (I) may be reported for a student who has carried a course with a passing grade until the end of the semester, but due to illness or other unusual and substantiated cause has been unable to complete the final examination or some limited amount of assigned work. An I grade is temporary and will be converted to an "F" at the end of the extension period if the course work is not completed. Students who receive an I grade who are in jeopardy of not meeting academic standards will be notified that their subsequent semester aid will not be determined until the status of the I grade is resolved.

### **Change of Academic Program/Major**

Federal regulations provide colleges with the ability to "re-set" the SAP quantitative standard when a student changes a major or program of study. At WCCC, students may appeal to remove from the quantitative standard any prior credits that do not apply to their current degree program. Removal of credits from the SAP calculation will be considered on a case-by-case basis and will consider factors such as the number of credits remaining for completion of degree, prior academic performance, any previous degree program changes, and any other extenuating circumstances. It is the expectation of the College that a re-set that will result in the removal of more than two or three courses from the SAP standards will only be done in rare circumstances.

### **Academic Forgiveness**

Under certain circumstances, readmitted students may apply for "Academic Forgiveness" to eliminate grades from one or more prior courses from their GPA calculation. Academic Forgiveness is only granted in cases where the course is not required and/or available for the student's current program of study. Courses granted Academic Forgiveness will not count in a student's GPA for purposes of the SAP calculation. Total credits attempted will continue to be counted in the SAP quantitative standard. However, a student may appeal to remove from the quantitative standard any prior credits in their academic history that do not apply to their current degree program.

### **Dropped Classes**

Classes dropped during the drop/add period at the beginning of each semester do not count toward the student's qualitative or quantitative standards. These courses do not appear on a student's official transcript.

## **XF and NF Grades**

A grade of XF is assigned in a case where a student has unofficially withdrawn (i.e., the student stopped attending). A grade of NF is assigned in a case where a student has never attended a class and has not officially withdrawn from the course. XF and NF grades are considered an earned "F" and counted in both qualitative and quantitative SAP standards.

## **Audit Grades**

Students cannot receive financial aid for audited courses.

## **Students with Unusual Enrollment History**

The federal government identifies students with "unusual enrollment history." These are students who have attended at least two other institutions within the preceding two years. WCCC is required to follow up with these students to ascertain whether they have earned credits at their prior institutions. Should the College determine that a student did not earn credits in accordance with federal requirements, the student will be required to appeal in writing to gain financial aid eligibility at WCCC.

## **Rules for Individual Financial Aid Programs**

The SAP requirements apply to both federal and state financial aid eligibility. This includes Pell Grants, Supplemental Educational Opportunity Grants (SEOG), NJ Tuition Aid Grants (TAG) and federal student loans (subsidized and unsubsidized) and the NJ Community College Opportunity Grants (CCOG) program. .

Additional eligibility or student progress standards may apply to the NJ STARS program the NJ Educational Opportunity Program and the CCOG Program.

Due to the COVID-19 Pandemic, which required students to make academic adjustments mid-way in spring 2020, the Federal Government has given institutions flexibility to exempt that semester for purposes of calculating SAP standing.

## **Satisfactory Academic Progress Review**

The College will evaluate students for academic progress after each fall and spring semester. Students who also attempt summer classes will have their academic progress reviewed after the end of the summer term.

**Satisfactory Progress:** Students whose credits earned and cumulative GPA meet or exceed the SAP requirement are considered to be making satisfactory progress and are in "good academic standing."

Students who do not make SAP standards will be placed on Financial Aid Warning.

**Financial Aid Warning:** Students on Warning status will be allowed to receive financial aid for one semester (warning period). At the conclusion of the warning period, the student must either meet the SAP requirements or submit a formal appeal to continue to receive financial aid.

### **Appeal Process**

The Financial Aid Office will notify any student not making Satisfactory Academic Progress that he/she is placed on Warning status and will lose financial aid in the subsequent semester unless SAP standards are met by the end of the Warning period.

Students do not have to appeal a Warning status. However, if they want to receive financial aid for the following semester, they must either meet the SAP standards or submit a written appeal to formally appeal to retain financial aid eligibility. Those who successfully appeal will be placed on Probation.

Students must submit their appeal file at least 15 days prior to the start of the semester if they intend to have a determination made prior to the payment due date. Students who submit appeals after that time must make alternate financial arrangements for their semester charges (i.e. pay in full or enter a payment plan). The College will notify students whether their appeal has been approved or denied within 20 days of the appeal submission.

The written notification from the College shall include an SAP appeal form indicating the process necessary to file an appeal. To submit an appeal:

- A) Complete the SAP Appeal form and include any supporting documentation related to the appeal.
- B) Forward the appeal by the date listed in the notification letter to:

Financial Aid Eligibility Appeal  
Director of Financial Aid  
Warren County Community College  
475 Route 57 West  
Washington, NJ 07882

Any approval of an appeal will be based on judgment of the College's SAP Appeals Committee. This Committee will minimally include representatives from Financial Aid, Finance and Student Services offices. This Committee, will review each appeal and render a decision within one month of receipt of the appeal request. **The decision of the Appeals Committee is final.**

### **Appeal Requirements**

As part of this appeal, the student must:

- a) Submit a written statement explaining the extenuating circumstance such as illness, injury, death of a relative or other special situation. Students must submit all appropriate

documentation related to their appeal, including medical documentation, death certificate or other official notices:

- b) Document what has or will change in the student's circumstance to enable the student to re-establish Satisfactory Progress. Indicate how the circumstance has been addressed so that it will no longer impede educational goals; and
- c) Attach advisor/student meeting notes along with a degree audit completed with an advisor.

As part of the appeals process, the College will work with the student to create an "Academic Plan". The Plan will include strategies the student should follow in order to be able to regain SAP status and may include the following:

- A limitation on the number of credits a student may attempt in a given semester;
- An agreed upon course complement for upcoming semester(s) to help improve the student's academic standing;
- A plan for supplemental educational support, including regular tutoring sessions;
- A plan for minimum course completion and/or grade expectations for a semester (s); and/or
- A limitation on college extracurricular activities that the student may participate in while on probationary status.

The Academic Plan is in force as long as the student is not meeting SAP standards. A student must appeal to make any deviations from the plan or will lose eligibility for financial aid until they meet SAP standards.

**Probation:** Students in warning status whose appeals are accepted will be placed on Probation for the upcoming semester. Any student who does not satisfy the requirements of their academic plan during the Probation period will lose eligibility for financial aid for subsequent semesters until they regain Satisfactory Academic Progress. Probation is on a semester basis. A student must successfully appeal probation each semester to retain aid eligibility.

**Restoration of Financial Aid:** Once financial aid eligibility is lost, it can only be regained if the student is able to meet the quantitative and qualitative SAP requirements.

**Termination:** Termination of financial aid eligibility will occur if the student meets one or more of the following circumstances:

1. The student has exceeded the maximum credits permitted for the degree program and therefore will no longer be eligible for financial aid.
2. The student has completed the degree program and therefore is no longer eligible for financial aid.
3. It has been determined that the student cannot mathematically meet the degree requirements within the prescribed federal financial aid time maximum of 150%.
4. After a semester on Warning status, the student does not meet SAP requirements and does not submit an appeal to reconsider the termination of federal financial aid.
5. The SAP Committee has determined that the student's appeal does not meet any mitigating circumstances to justify the continuation of financial aid.
6. A student is on Probation and fails to complete or make progress on an Academic Contract.

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Revised: 11/16/2011  
Revised: 6/26/2013  
Revised: 12/17/2014  
Revised: 11/1/2017  
Revised: 11/6/2019  
Revised: 11/16/2021

## 403.8 WITHDRAWING FROM COURSES

The first two weeks of the semester are considered the drop/add period. Courses dropped during this period are not shown on the student's transcript or in their academic record.

After the second week of classes, students may withdraw from courses. Students withdrawing beginning the third week of class should consult the Academic Calendar to determine the last day to withdraw without academic penalty, which is typically during the ninth or tenth week of class. The period between the third week and the tenth week of the semester is known as the "withdrawal period." Students withdrawing from courses during this time will receive a grade of 'W' on their student record. This grade does not affect the grade point average, but indicates that the student withdrew before an adequate determination of his/her academic progress could be made for the class.

Students withdrawing after the withdrawal period will be assigned a withdraw-passing (WP) grade or a withdraw-failing (WF) grade by the instructor. Students who do not drop or withdraw from a class but never attend the class will be assigned a grade of NF (never attended). Students who stop attending class will be assigned a failing (XF) grade. A grade of WF, NF or XF will be calculated in the grade point average as a failing (F) grade. In spring of 2020, students who attended classes through April 1<sup>st</sup>, 2020 but did not successfully complete a course were automatically assigned an Administrative Withdrawal (AW) grade.

Grades of W, WP, WF, XF and NF may have implications on a student's ability to receive financial aid both during the applicable semester and in subsequent semesters. Students awarded with financial aid should always check with the Financial Aid office before withdrawing from a class(s) to determine whether this action may affect financial aid.

Students experiencing health or emergency medical problems preventing them from continuing with coursework should submit a Special Consideration Form, available in the Office of Student Services. Additional documentation may be requested. The Special Consideration Committee will determine if the student is eligible to receive a withdraw-medical (WM) grade. This grade does not affect the grade point average, but indicates that the student received a medical withdraw before an adequate determination of his/her academic progress could be made for that class. All requests for medical withdrawals will be approved or denied based on the circumstances involved and the supporting documentation from the attending physician. Medical withdrawals must be submitted no more than two semesters beyond the semester in which the student wishes to request a medical withdraw from WCCC.

Drop/Add and Withdrawal periods are prorated during the summer session.

## **404 COPYRIGHT POLICY**

Warren County Community College shall comply with the 1976 Copyright Act through the following guidelines and standards of educational fair use as specified under Section 107 of H.R. 2223.

### **404.1 GUIDELINES FOR CLASSROOM COPYING WITH RESPECT TO BOOKS AND PERIODICALS**

#### **I. Single Copying for Teachers**

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

- A. A chapter from a book;
- B. An article from a periodical or newspaper;
- C. A short story, short essay or short poem, whether or not from a collective work;
- D. A chart, graph, diagram, drawing, cartoon picture from a book, periodical, or newspaper;

#### **II. Multiple Copies for Classroom Use**

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion; provided that:

- A. The copying meets the tests of brevity and spontaneity as defined below; and,
- B. Meets the cumulative effect test as defined below; and,
- C. Each copy includes a notice of copyright

#### **DEFINITIONS:**

##### *Brevity:*

1. Poetry
  - a. A complete poem if less than 250 words and if printed on not more than two pages or,  
b. from a longer poem, an excerpt of not more than 250 words.
2. Prose
  - a. Either a complete article, story or essay of less than 2,500 words, or  
b. an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

[Each of the numerical limits stated in 1 and 2 above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]

3. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
4. "Special" works: Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety.

Paragraph 2 above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

*Spontaneity:*

1. The copying is at the instance and inspiration of the individual teacher, and
2. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

*Cumulative Effect:*

1. The copying of the material is for only one course in the school in which the copies are made.
2. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
3. There shall not be more than nine instances of such multiple copying for one course during one class term.

[The limitations stated in 2 and 3 above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

### **III. PROHIBITIONS TO I AND II ABOVE**

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- C. Copying shall not:
  1. substitute for the purchase of books, publishers' reprints or periodicals;

2. be directed by higher authority;
3. be repeated with respect to the same item by the same teacher from term to term.
4. No charge shall be made to the student beyond the actual cost of the photocopying.

#### **404.2 GUIDELINES FOR CLASSROOM COPYING WITH RESPECT TO MULTIMEDIA WORKS**

Creators of multimedia products for course-related work may prepare a total of three copies, one of which is for preservation and replacement purposes only. One of the copies may be placed on Library Reserve. Fair Use status expires two years after the first instructional use of a particular multimedia product.

Multimedia products should contain an opening screen notice that credits the sources, displays the copyright notice and copyright ownership information if shown in the original source. Crediting the source must adequately identify the source of the work, giving a full bibliographic description where available. The copyright notice includes the word "Copyright" or the copyright symbol, the name of the copyright holder, and the year of first publication. Any alterations of copyrighted items must be noted.

There are quantitative portion limitations that specify how much of copyright protected sources may be included in multimedia products prepared by students or faculty for course-related work. Use of larger portions requires permission from copyright owners.

1. Text  
Up to 10% or 1000 words of a source, whichever is less. An entire poem of less than 250 words, but no more than 3 poems or excerpts by one poet. No more than 5 poems or excerpts from one anthology.
2. Music, Lyrics, Music Video  
Up to 10% but not more than 30 seconds total from an individual work
3. Motion Media  
Up to 10% or 3 minutes of a source, whichever is less.
4. Illustrations, Photographs  
No more than 5 images by one artist or photographer. No more than 10% or 15 images, whichever is less, from any single published work.
5. Numerical Data Sets  
Up to 10% or 2500 fields or cell entries, whichever is less.
6. Internet Sources  
Though it can be difficult to determine what is copyright protected and what is in the public domain, the multimedia creator is responsible for adhering to copyright law.
7. Opening screen notice

“Certain materials are included under the fair use exemption of U.S. Copyright Law and have been prepared according to the educational multimedia fair use guidelines and are restricted from further use.”

#### **404.3 USE OF TORRENT OR SIMILAR PROTOCOL TO DOWNLOAD COPYRIGHTED MATERIALS**

BitTorrent is an information technology protocol that allows peer-to-peer file sharing that is used to distribute large amounts of data over the Internet. Over the past several years, the use of BitTorrent and similar software has been used to illegally download and share copyrighted media, especially movies and premium cable television offerings. The use of BitTorrent or similar software to download copyrighted material on the WCCC campus is considered a violation of the College’s technology, code of conduct and copyright policies. Individuals who illegally download materials shall be subject to discipline by the College in addition to any externally imposed legal penalties.

#### **404.4 SUMMARY OF CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF FEDERAL COPYRIGHT LAWS**

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov).

Approved: 09/08/10

Revised: 05/17/14

Reaffirmed: 05/18/2019

#### **405. DISTANCE EDUCATION**

Distance Education credit courses shall be defined as courses that rely on technology to deliver course content when the learner and instructor are not in the same place at the same time. Distance Education courses may be synchronous (in real time; simultaneous) or asynchronous. Distance education is distinct from hybrid courses, where the instructor and students have a regular meeting schedule (usually once a week) but rely on technology to deliver a portion of the course content.

Also, in accordance with Federal Regulations, the College must establish procedures to ensure the identity of each student taking distance education classes. These procedures are intended not only to protect student privacy, but to also prevent any academic misconduct. WCCC satisfies this requirement through the following controls:

- a) Students and instructors are only permitted access to classes for which they are enrolled.
- b) Users must submit both a unique user ID and a password in order to access their distance education classes.
- c) Instructors or academic administrators can monitor student use and disable a user's access to a class in the case of any suspected violation of academic policies or procedures.
- d) An instructor may specify in-person assessment(s) for distance education or hybrid courses, as long as these requirements are made clear in the section syllabus. All in-person assessments must be proctored by the instructor or an authorized college representative. No additional fees shall be charged to students for the proctoring of distance education or hybrid course assessments.

The college shall verify that a student is actively attending a distance education course prior to the disbursement of federal financial aid. Because distance education courses do not include face-to-face contact between a professor and a student, it is necessary for the college to establish standards for determining attendance for purposes of financial aid disbursement. Attendance in on-line class shall be defined as active participation in course assignments, including the completion of papers, on-line postings and exams. Merely logging into an on-line educational system does not constitute attendance.

Students enrolled in a distance education class who have not completed a single course assignment/exam for the class, shall receive an NF grade (Failure to Withdraw/Never Attended). Students who have stopped actively participating in the class prior to the end of the semester shall be awarded an XF grade (Failure to Withdraw/Stopped Attending) and have a "last date of attendance" (or LDA) date recorded by the instructor. This LDA shall reflect the date the student's last assignment or exam was received by the instructor.

Any instructor or administrator concerned about the sharing, tampering or access to usernames, passwords, or distance education courses by unauthorized individuals shall report concerns immediately to the Vice President of Academic or his/her designee. This includes concerns regarding possible student fraud, plagiarism and/or other conduct specifically prohibited in the Student Handbook, the Campus Code of Conduct (Policy 304.2), the Policy on Computer, Email and Internet Usage (Policy 202.19) or the Copyright Policy (Policy 404).

It is the responsibility of the instructor to utilize the course objectives and the defined textbook as set forth in the master syllabus for all distance education courses. The college approved Learning Management System (LMS) must be utilized for all distance education courses and may be supplemented with additional online resources as approved by the college administration. Distance education courses must also meet guidelines established by the college for student time on task. A guideline of proposed time must be pre-approved by the Vice President of Academics before the start of the academic term. Each week faculty must document attendance within the LMS on all students enrolled in distance education courses. A final time audit reflecting actual course structure and student time on task must be submitted to the Vice President of Academics at the conclusion of the course along with final grades and attendance information.

Approved 6/29/2011  
Revised 2/27/2012  
Revised 2/26/2014

Revised 6/24/2015

Revised 11/7/18

## **406 MASTER SYLLABUS**

A master syllabus shall be kept on file in the Office of Academics for each course. The master syllabus shall include the catalog description, prerequisites, co-requisites, credits, hours, required text, core competencies, course objectives, topical outline, methods of assessment, statement and policy on cheating, plagiarism and academic dishonesty, required format for research papers, instructional support center information, library information, attendance policy, disability services statement, methods of evaluation, grading system, late work policy and missed exam policy. All instructors must adhere to the master syllabus when teaching courses Faculty are required to update or revise the course syllabi each semester in the approved designated areas only. This includes the faculty information, the instructional materials that have been approved by the Academics Administration, the Grading Methods, and the Itinerary. Faculty may not make any other substantive changes to the Master Syllabus; however, an addendum can be included.

Approved: 06/24/2015

Revised 11/7/18

## **CHAPTER V: FINANCE AND ADMINISTRATION POLICIES (500)**

### **501. FORMATION OF THE BUDGET**

The Committee on Finance and Audit oversees College financial matters in accordance with the established College mission and goals, and reviews Fiscal Year budget prepared by the administration. The Committee on Finance and Audit submits the budget with its recommendations to the full Board for approval.

Approved: 02/28/85

Revised: 03/23/05

Revised: 09/13/17

Reaffirmed: 12/14/2022

#### **501.1 TUITION AND FEES**

##### **A. Procedure for Adoption of Revisions to Tuition/Fees Schedule, and for Adoption of Overall College Budget:**

###### Public Hearing

Pursuant to N.J.S.A.18A:3B(6), prior to the date of consideration of any tuition and fee revisions, the Board of Trustees shall conduct a public hearing to permit members of the public an opportunity to offer comments on the proposal. The Board may designate the President and/or the Vice President of Finance and Operations to conduct such a hearing. Written presentation materials and any minutes from the hearing shall be made available on the College's website. The public hearing may be scheduled to occur during a scheduled public meeting of the Board of Trustees.

Not less than seven (7) days in advance of any public hearing, the College shall publicize the hearing via the College's website and post notice of the hearing on appropriate campus bulletin board(s).

##### **B. Schedule of Tuition and Fees**

The College's tuition and fee schedule shall be set forth on the College's website and appropriate publications. Students shall be charged on a per credit basis in accordance with their residency status.

##### **C. Student Charges Determined by Residency Status (Credit Programs)**

All students in credit courses shall fall into one of the following categories and be charged accordingly:

**In County Resident:** Resident who maintains a permanent domicile in Warren County for at least 90 days prior to initial registration. Students are also eligible to receive in-county tuition charge if they fall into one or more of the following categories:

- Out-of-county residents receiving chargeback support from their home county,
- Out-of-county residents from counties where WCCC has a reciprocal tuition agreement with their local county college, and
- Persons employed in Warren County
- Persons participating in the Veterans in Pursuit of Education Readiness (VIPER) Program
- Veterans and their spouses/dependents residing in Warren County
- Other persons designated by the Board of Trustees by resolution to be considered in-county residents

**In-State Resident:** A student who has lived in New Jersey for at least one year prior to registration. New Jersey residency is required for state financial aid.

**Out-of-County Resident:** An In-State Resident who maintains a permanent domicile in a county other than Warren.

**Out-of-State Resident:** A student who maintains a permanent domicile in a state other than New Jersey or who has been a New Jersey resident for less than one year prior to registration.

**Permanent Residency Visas:** Students who are not U.S. Citizens but have Permanent Residency Visas (Green Cards) will be assessed tuition in accordance with their current address.

**Resident on a VISA:** International Students in the United States under a valid visa may enroll in classes at Warren County Community College. These students will be assessed tuition equivalent to the Out-of-State tuition rate.

**Non-Resident on a VISA:** Students who are issued an F-1 Visa through Warren County Community College will pay international student tuition and a special application fee. These students must comply with all INS reporting and registration requirements in order to retain their F-1 Visa. These students also must comply with special enrollment deadlines established by the College in order to obtain their F-1 Visas.

These categories apply for the determination of WCCC tuition charges. Individuals not meeting any of the above categories shall be charged tuition in accordance with applicable state and/or federal statutes. Residency requirements for purposes of awarding student financial assistance shall be determined in accordance with federal and state regulations.

#### **D. Residency for Continuing Education Programs (Non-Credit Courses, Programs and Workshops)**

Non-credit courses, programs, and workshops offered by Warren County Community College have the same charges regardless of student residency.

#### **E. Documentation Necessary to Determine Residency Status**

In order to document residency, a student may be requested to provide the College with appropriate documentation, which may include:

1. Valid New Jersey motor vehicle license or registration or voter registration
2. Current lease or deed
3. Recent tax or utility bill
4. Other official mail addressed to student (other than from WCCC)
5. An affidavit setting forth place and commencement date of permanent residence, relationship to the owner of the property, and the term of any lease.
6. Proof of employment in Warren County (pay stub, letter from employer)

Residency shall be established at the time of application or re-admission to the College.

United States military personnel and their dependents living in Warren County and enrolled at the College shall be regarded as residents of Warren County for the purpose of determining tuition.

#### **F. Senior Citizen Rates**

Non-matriculating persons presenting proof of age of 65 or older on the first day of class will be permitted to register and enroll in regularly scheduled credit courses without payment of any tuition charges provided that available classroom space permits, the senior citizen attends on a non-matriculated basis, and that tuition paying students constitute the minimum number required for the course. Senior citizens will be required to pay all college fees and learning material costs. The senior citizen waiver does not apply to repeated courses.

#### **G. New Jersey National Guard Tuition Waiver**

Members of the New Jersey National Guard and their surviving spouses and children will be provided tuition waivers of up to 15 credits per semester in accordance with the provisions of N.J.S.A. 18A:62-23 et seq.

#### **H. Tuition Waiver for Unemployed Persons**

NJSA 18A:64A-23.1 et seq. provides tuition and fee waivers for unemployed persons enrolled in a job training course(s). Warren County Community College will waive tuition and fee charges for unemployed Warren County residents meeting NJ Department of Labor standards for participation in this program. As a condition for participation, a student must complete all Financial Aid application materials and provide all required verification documents. The College shall first apply financial aid to the student's account and then waive the balance of any tuition and fee charges not supported through federal or state financial assistance.

Students participating in this program shall be able to enroll on a "space available basis" on the day prior to start of the semester in programs on the approved NJ Department of Labor list. In order to maintain eligibility for this program, students must maintain a passing grade in accordance with the College's Satisfactory Academic Progress Standards. Repeated courses shall not be eligible for a tuition waiver through this program.

#### **I. Payment of Tuition and Fees**

Tuition and fees are due at the time of registration except during designated pre-registration periods. Students registering during pre-registration are required to fulfill all payment obligations by designated due date as set by college administration.

Grades and transcripts will not be released until a student satisfies any outstanding payments due to the College. In addition, the student shall not be permitted to register for subsequent semesters until satisfactory payment arrangements have been made with the Finance Office.

#### **J. Tuition Refund Policy**

A full refund (100%) of tuition will be made to students who drop a course before the first day of classes. An eighty percent (80%) tuition refund will be made to students dropping a course before the end of the first week of the semester. A fifty percent (50%) tuition refund will be made to students dropping a class before the end of the second week of the semester. No refund will be made for withdrawals after the end of the second week of the semester as shown below.

Prior to the first day of class	100%
Any course or lab cancelled by the College	100%

Course dropped on or before the last day of:

1 <sup>st</sup> week of classes*	80%
2 <sup>nd</sup> week of classes*	50%
After the 2 <sup>nd</sup> week*	0%

\*or prorated equivalent for shorter terms (example: summer sessions or Powerpack)

Professional discretion in refunds is permitted on a case-by-case basis through the Special Considerations Committee process.

Any student wishing to appeal a tuition and fee matter shall submit a written Special Considerations Request Form to the Office of Student Services in a timely manner. That form should detail any extraordinary circumstances that should be considered. Students appealing for a medical withdrawal must provide documentation from a licensed medical professional indicating that a student must withdraw from all classes. The "Special Considerations Committee," consisting of representatives from the Finance Office, Student Services, Financial Aid and Academic Affairs will review the appeal and communicate its decision in writing to the student. Should the student wish to appeal the Committee's decision, he/she must submit a written appeal to the President. The decision of the President shall be final.

#### **K. Chargeback**

Authorization of a "Chargeback" permitting a Warren County student to attend another community college at that County's in-county tuition rate through a subsidy from Warren County shall be determined in accordance with N.J.S.A. 18A:64A-23 and with any regulations issued by the Commission on Higher Education. A Chargeback will be issued only when Warren County Community College or any WCCC educational partner cannot provide for the program of study.

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Revised 9/13/17  
Revised: 05/18/2019  
Revised 11/16/2022  
Revised 9/13/2023

### **501.3 DEFERRED TUITION PAYMENT**

The College shall offer a tuition payment plan to assist students with financing tuition and fee expenses for credit courses and for career programs offered through the Division of Corporate and Continuing Education. This plan shall permit students to make payments over multiple periods, depending on the time of enrollment. The terms and conditions of such a plan, along with an application shall be provided to the students along with their semester invoice. Any fees associated with the Payment Plan shall be approved by the Board of Trustees.

The College reserves the right to reject an application for deferred tuition payment to any student who has a history of payment delinquency or who has prior payments due to the college.

Revised: 03/23/05  
Revised: 09/13/17  
Reaffirmed: 12/12/2022

### **501.4 TUITION REFUND OR CREDIT FOR CALL TO ACTIVE MILITARY SERVICE**

Any military personnel called to active duty during a semester in progress shall be treated in accordance with the provisions of 18A:62-4.2, which permits students the option to either receive a grade or withdraw from the course and receive a full refund of any charges paid during that semester.

Approved: 06/28/96  
Revised: 03/23/05  
Reaffirmed: 09/13/17  
Reaffirmed: 11/15/23

### **501.5 STUDENT ACCOUNTS**

It is in the best interest of the Warren County Community College and the taxpayers of Warren County that WCCC collects tuition and fee payments on a timely basis. To this end, the College will establish payment due dates prior to the beginning of classes. The College may cancel the enrollment of any students who have not made satisfactory payment arrangements to the College by the payment due date. The College may also require students to satisfy any outstanding payments before permitting the student to register for another term, receive transcripts, or graduate from the College.

Recognizing that external agencies are occasionally necessary to assist with debt collection, the College is authorized to use collection agencies after internal efforts are unsuccessful at collecting payments due to the College.

There may be extraordinary circumstances, including, but not limited to death, significant injury, illness, or severe family circumstances, that make it impossible for a student to satisfy a payment to the College. In these instances, the Board grants the President the authority to write-off this debt with appropriate documentation to the College. Write-offs and waivers required by the federal government or Board policy shall be documented and approved by the President and/or designee(s).

As part of its annual audit, the College shall create an allowance for doubtful accounts of 80% for accounts that are more than 180 days overdue and 100% for accounts over 365 days. This allowance is for accounting purposes only and does not infer than an account has been written off from collection efforts. The College may also elect to write-off debt in excess of three (3) years after collection efforts have failed.

There are occasions when credit balances exist on student accounts after financial aid is disbursed or the student drops a class. Unless a student requests in writing that these funds remain on his/her account, WCCC will process a refund check for the student. Credit balance funds that remain unused on an account for more than one year shall be refunded to the student via a refund check.

In rare instances, the College may provide a student with the opportunity to retake a class due to special circumstances such as a medical withdrawal or another documented hardship. These credits are discretionary on behalf of the College and shall expire within three (3) years of issuance.

The College reserves the right to write off account credits or debts of \$10 or less after a period of one year. The College shall escheat any overpayments or credits not considered active in accordance with applicable state or federal regulations.

Approved: 01/26/05  
Revised: 11/14/07  
Revised 09/13/17  
Revised: 12/19/18

## **501.6        SECURITY OF FINANCIAL INFORMATION**

Warren County Community College is subject to various federal requirements to secure the financial information of students. Policy 501.6 enumerates the actions that the College will continue to undertake to secure financial information.

### **501.6.1      GRAMM-LEACH-BLILEY ACT**

Under the 2000 Gramm-Leach-Bliley Act (G-L-B Act), the College is considered a financial institution because two of the College's activities ("making, acquiring, brokering, or servicing loans" and "collection agency services") are consistent with banking industry functions under the Bank Holding Company Act of

1956. As a result, the College must comply with two requirements of the G-L-B Act: Privacy of Consumer Information (Privacy Rule) and Safeguarding of Consumer Information (Safeguards Rule).

**A) Privacy of Consumer Information**

The privacy of student information contained in the G-L-B Act is consistent with the privacy responsibilities that colleges and universities must follow under Family Educational Rights and Privacy Act (FERPA). As such, Warren Community College will continue to ensure the privacy of student records, including their financial records, under Policy 306: Privacy Rights of Students, to satisfy the Privacy Requirements of the G-L-B Act. In addition, where applicable, the College shall comply with the safeguards of information for students covered under the General Data Protection Regulation (the European “Right to be Forgotten” law).

**B) Safeguarding of Consumer Information**

WCCC is committed to safeguarding the financial information of students and members of the campus community. As such, it has developed the following standards to safeguard financial information for students and employees (hereafter “customers”):

- 1) Electronic Safeguards
  - a. Electronic customer information is stored on secured servers. All servers are password protected and unauthorized access is protected via a series of firewalls and other protections. Network security is routinely tested and subject to security audits.
  - b. Servers are routinely backed-up and the back-up information is stored off-site.
  - c. Employees are advised to maintain all work product on network drives to ensure that materials are backed up daily.
  - d. Anti-virus software is routinely used. Security patches are installed as necessary, according to the latest industry standards.
  - e. As specified in Policy 201.15, all non-student employees are subject to employee criminal background checks.
  - f. Each employee and student with computer access is issued a unique ID and password. Employees must change passwords periodically using a specific password protocol to minimize the potential of “hacking” and must ensure that all passwords are secured.
  - g. The College limits access to various computer systems to employees requiring such access for the completion of their job duties.
  - h. Employees with access to secure student information must implement a keyboard locking protocol to secure information when they are away from their workstations.
  - i. The College has a system of “permissions” and “controls” in place to limit both inquiry and data entry access to various systems and system components to protect from unauthorized access to confidential information.
  - j. All data are erased when disposing of computers and other electronic media that contain customer information.
  - k. Effective disposal of hardware occurs after the completion of its useful life cycle. The College maintains a comprehensive inventory of its technology equipment.

- I. Employees with laptops containing sensitive data must follow the protocols in the Secure Laptop Policy (Policy 202.20), including the use of encrypted laptops or thumb drives if secure data are taken off campus.
- m. The College's contracted vendor provides assurance that there is effective erasure of all confidential scanned data from photocopiers.
- n. The College and/or its contracted vendors ensure that confidential data are maintained and disposed in accordance with state records retention statutes.

2) Physical Safeguards

- a. Access to the server room is restricted to certain employees issued electronic key fobs. The room remains locked at all times and has been fortified with additional physical protection.
- b. Rooms and/or file cabinets containing paper records with confidential customer information are locked.
- c. Fireproof cabinets are used to store student records, financial aid files and employee financial information.
- d. All employees are trained to safely dispose of confidential information using shredders or special disposal bins.
- e. Any confidential material not shredded on campus is disposed of by a bonded confidential data disposal agency.
- f. Confidential materials not housed on campus are stored off-site at a bonded storage company. Records are retained in accordance with federal or state records retention requirements and are destroyed after the retention period.

3) Other Safeguards

- a. Financial account information is not provided over the telephone or in-person, unless or until an individual can produce sufficient identification.
- b. The College limits employees who may accept financial information (example: credit card numbers) and does not keep permanent records of student financial information.
- c. The College outsources payment plan, credit card processing and payroll activities to external vendors and receives assurances from these vendor that they are in compliance with all federal and state mandates.
- d. Social security numbers are not used for student identification. Social security information is collected only for federal or state mandated purposes, such as financial aid filing or tax reporting.
- e. Signed releases or court-mandated documents are required for the release of FERPA covered information.
- f. The College has developed Emergency Action, Disaster Recovery and Business Continuity Plans/Procedures. Offices are responsible for periodically updating these documents.
- g. The College's internal controls and operating procedures are reviewed annually by an independent auditing firm.

Approved: 5/20/09

## **501.6.2 FEDERAL TRADE COMMISSION (FTC) RED FLAGS RULE**

The purpose of this section is to define the policies and procedures that Warren County Community College shall follow to be compliant with the FTC Red Flags Rule.

### **A) Definitions**

Under the 2008 FTC Red Flags Rule, any financial agency holding a covered account must develop policies and procedures to detect, prevent and mitigate identity theft.

According to the FTC, a **covered account** includes any account where non-profit and government entities defer payments for goods and services, which includes student payment plans or student loans. For the purposes of Warren County Community College, a **“covered account” refers to transactions related to payments or refunds on student payment plans and disbursements/refunds of federal student loans.**

A **red flag** means a pattern, practice or specific activity that indicates the possible existence of identity theft.

### **B) Purpose of WCCC’s Identity Theft Prevention Program**

Warren County Community College is committed to protecting its constituents (including students, faculty and staff) from identity theft. This policy establishes Warren County Community College’s Identity Theft Prevention Program (“Program”) to detect, prevent and mitigate identity theft. The Program shall include reasonable policies and procedures to:

- 1) Identify possible relevant red flags that may exist for covered College accounts;
- 2) Develop procedures to alert employees of relevant red flags;
- 3) Develop procedures to respond appropriately to red flags that are detected to prevent and mitigate identity theft; and
- 4) Ensure that the Program is updated periodically to reflect changes in risks to customers and to the safety and soundness of the creditor from identity theft.

### **C) Identification of Relevant Red Flags**

As part of the College’s efforts to help prevent identity theft, WCCC will consider additional scrutiny and/or follow-up actions when it believes a “red flag” action/activity has occurred. This “red flag” action/activity may include, but is not limited to, events when one or more of the following occur:

- 1) The College receives notification from a credit agency, governmental agency, law enforcement individual or other source that possible identity theft may be promulgated by or promulgated against a member of the campus community.
- 2) A campus constituent presents information that may be indicative of possible identity theft, including, but not limited to:
  - a) an unexplained address discrepancy
  - b) a name discrepancy on identification or insurance documentation
  - c) presentation of suspicious documents
  - d) presentation of personal information that is inconsistent with information already on file
  - e) presentation of inconsistent financial verification documents (e.g., inconsistencies on documentation presented through financial aid or financial payment processes)
  - f) presentation of a credit card in the name other than the payee with no verifying documentation or permission from the cardholder to use such a document
- 3) A campus constituent undertakes unusual or suspicious activity related to a campus account. This could include, for example, a request for a financial refund prior to a payment clearing or a pattern of enrolling/dropping of classes prior to the start of the semester.
- 4) An individual with a prior history of unusual or suspicious payment activity attempts a financial transaction. This could include a "bad check" history with the College or a previous debt balance.
- 5) Other unspecified actions or account discrepancies that could lead a College official to conclude that identity theft may have been or may be occurring.

For the purposes of this policy, the College will endeavor to apply the "red flag" scrutiny to all student accounts as appropriate, including, but not necessarily limited to, accounts covered through student payment plans and/or student loans (i.e., the accounts required to be monitored under the FTC requirements) until the discrepancy or issue has been resolved.

#### **D) Identification of External "Red Flag" Threats**

With the proliferation of telephone, email and text technology, there are constant efforts by parties external to the college to try to obtain data, information or even payments due to students or contractors by fraudulent means, such as impersonating the president and requesting a change in direct deposit, or alleging that they are a government agent and therefore entitled to certain personal information. There are cases where persons representing students, an employee or a contractor has contacted a college or university and asked for a change address for a payment. These efforts, if successful, could result in the redirection of funds to fraudulent accounts. To mitigate such external threats, the College shall do the following:

- 1) Identify all emails that do not come from the College email system as "EXTERNAL" in the title so employees know that any spoofed email is not from the College.
- 2) Notify employees if a specific type of campaign seems to be occurring

- 3) Send out routine information to employees on how they can safeguard their identities and protect themselves and family members from identity theft perpetrators.
- 4) Remind employees about the appropriate ways that information can be changed (forms, etc.) rather than through e-mail.
- 5) If information is coming from a common address, WCCC can block that address.
- 6) Contact external agencies (including federal fraud agencies) when a specific campaign appears to be targeting the college.

#### **E) Institutional Response**

An individual suspecting that a red flag has been triggered shall notify the Vice President of Finance and Operations or his/her designee of concerns. The concern shall be promptly investigated by the College. The College's response to such "red flag(s)" shall be commensurate with the degree of risk imposed. Depending on the circumstance(s) and the severity of the action/activity, the College may consider one or more of the following after encountering a "red flag" circumstance. The possible actions of the Vice President or designee shall be as follows:

- 1) Determine that no response is warranted under the specific circumstances;
- 2) Require additional/confirming information or identification from an individual before processing the transaction;
- 3) Attempt to contact the account holder if he/she is not present in person to verify a transaction;
- 4) Deny the processing of any transaction until or when any discrepancy or issue is cleared;
- 5) Place a "hold" on a student account so that no further transactions can occur until the discrepancy or issue is cleared. This hold shall act to notify other campus offices of a financial issue with the account;
- 6) Discontinue any student access to an account (e.g., change password or deny on-line access)
- 7) Contact any appropriate financial agency regarding an account discrepancy (this may include a payment plan provider, student loan vendor, credit card holder or credit reporting agency)
- 8) Notify relevant federal or state agencies/authorities regarding information discrepancy (such as the National Student Loan Clearinghouse, Federal Department of Education or the NJ Higher Education Student Assistance Authority);
- 9) Forward concerns to the President, who will consider whether there has been a violation of the campus code of conduct or other policies and who shall be responsible for notifying other campus officials, including the Board of Trustees, as appropriate, of such an incident; and/or
- 10) Contact local law enforcement if it appears that a criminal activity may have occurred.

#### **F) Responsibilities for Implementation, Review and Update of Program**

- 1) The College shall charge the Vice President, Finance and Operations for overseeing initiatives to safeguard the financial information of constituents served by the College.
- 2) In addition to overseeing internal safeguards, the Vice President, Finance and Operations shall exercise appropriate and effective oversight of service provider arrangements and receive assurances that they are in compliance with Red Flags Rule (example: Payment Plan, Bookstore vendors).
- 3) The College shall investigate instances where possible identity theft is occurring and report such issues to external agencies, including local law enforcement, as appropriate.
- 4) The College's Committee on Finance and Audit shall review compliance issues as part of the annual financial audit of the College and update the Program to reflect changes in statutes, industry practice or campus experience related to identity theft.

Approved: 5/20/09

Revised: 2/27/2013

Revised: 09/16/20

## **501.7      EMERGENCY WCCC STUDENT LOANS**

Student financial aid is awarded based on student financial need (determined through the FAFSA process) and the student's cost of attendance. Cost of attendance not only includes tuition, fees and books, but also some living expenses. As a result, about half of the financial aid recipients also earn a refund stipend to support non-WCCC educational expenses.

Financial aid has to be earned and cannot be disbursed in full to a student who did not attend or who stopped attending. For this reason, WCCC waits until after mid-term attendance is available before disbursing funds to students. Because of this disbursement schedule, there may be a rare instance where a student requires an advance of a financial aid refund to meet an emergency need until the draw down process is completed and the student refund is disbursed. This advance is considered an emergency WCCC student loan.

This loan is discretionary and may be granted on a one-time only basis to a student with a documented emergency circumstance unless otherwise approved by the President or designee. To be eligible, a student must complete an Emergency Student Loan form. This form shall document the student's need and must be signed by at least one instructor to attest that a student is actively attending classes. Emergency loans shall not be disbursed before the end of the drop/add period. The College may set maximum loan amounts for this program. The College may also take into account a student's prior attendance records, academic progress and/or payment history in determining whether the student is eligible for an emergency WCCC student loan. Decisions about emergency student loans are not appealable.

Approved: 11/14/12

Revised 12/17/14

Revised: 12/19/18

## **502 ADMINISTRATION OF BUDGET AND EXPENDITURE OF FUNDS**

### **502.1        BOARD OF TRUSTEE RESPONSIBILITIES**

The Warren County Community College Board of Trustees is responsible for adopting an annual budget for the College and submitting this budget as part of the Board of School Estimate process. The Board is committed to ensuring fiscal responsibility and accountability as well as promoting ongoing sound fiscal practices to ensure optimal college operations that benefit the campus community, particularly students.

The Board of Trustees is responsible for the following budget-related activities:

- a) Adopting a balanced annual budget for Warren County Community College prior to the start of the fiscal year;
- b) Considering a revised budget in cases where projected expenses are expected to exceed 5% of the approved amount or projected revenues are 5% below the approved level;
- c) Empowering the Financial & Audit Committee to review and approve presidential expenses in accordance with the president's employment agreement and Board Policy 102.6.1 President's Expense Account.
- d) Approving any new permanent full-time positions and the hiring of any new full-time employees of the College;
- e) Approving all non-salary expenses in excess of the New Jersey "Pay to Play" threshold or the statutory bid threshold that are not publicly bid as specified under N.J.S.A. 18A:64A-25.1 et. seq. ("bid waivers")
- f) Approving any bids in excess of the statutory bid threshold, including construction bids;
- g) Approving any changes in employee benefit offerings unless changes are mandated by the State Health Benefits Plan, Division of Pensions or other government entities;
- h) Approving any changes in investment or banking arrangements
- i) Approving the acceptance and/or disbursement of any governmental or private grant funds as required by the grantee;
- j) Approving the designation of unrestricted fund balances to meet current or future institutional needs;
- k) Approving any institutional or programmatic budgets as required by external agencies, including accrediting agencies;

- l) Approving the budget for all capital projects or projects supported through bond funds.
- m) Hiring a Chief Financial Officer in addition to a President, in accordance with P.L. 2023, c. 115.

Approved: 02/24/10  
Revised: 05/20/17  
Reaffirmed: 04/01/23  
Revised: 06/18/25

### **502.3 PRESIDENT'S RESPONSIBILITIES**

The President of the College has the fiduciary responsibility to manage the finances of the College in accordance with the parameters established by the Board of Trustees. As part of these responsibilities, the President is empowered to undertake the following:

- a) The development, presentation, and submission for Board approval of an annual fiscal year operating budget, by the February meeting of the preceding fiscal year;
- b) Ensuring that expenditures do not exceed available resources for the fiscal year;
- c) Making budget adjustments during the fiscal year to ensure that expenses remain within available revenues and that institutional priorities, including instructional needs, are met;
- d) Bringing a revised budget to the Board for considerations in cases where anticipated expenses are expected to exceed budgeted expenses by more than 5% or projected revenues are anticipated to be at least 5% below budgeted revenues.;
- e) Adopting sound business practices to ensure that revenues are maximized, including practices related to the collection of student revenues;
- f) Adopting budgetary controls, including the establishment of signatories and appropriate thresholds for budgetary approvals;
- g) Establishing a budget process and calendar to ensure appropriate input from campus leadership into the budget;
- h) Establishing appropriate purchasing and expenditure practices, including purchase orders and encumbrances where practical, so that the College can effectively control expenses;
- i) Monitoring budgets and ensuring that monthly budget statements are prepared;
- j) Providing the Board of Trustees Finance and Audit Committee with monthly reports on anticipated fiscal year revenue and expenditure projections;

- k) Ensuring that grant reimbursements are billed in a timely manner;
- l) Ensuring that statutorily required fiscal documents and materials are brought to the Board of Trustees for consideration;
- m) Keeping the Board of Trustees informed of any significant changes in the finances of the College;
- n) Providing auditors with appropriate information and assistance.
- o) Working with the CFO to ensure that the college remains in compliance with the requirements of P.L. 2023 c. 115, which specifies higher education accountability and monitoring actions.

Approved: 04/27/05

Revised: 04/18/18

Revised 06/18/25

#### **502.4 AUTHORITY TO SIGN COLLEGE CHECKS**

In accordance with the County College Contracts Law (N.J.S.A. 18A-64A-25.1, et. seq.), College contracts or project budgets in excess of the pay-to-play and bid threshold shall be approved by the Board of Trustees prior to the issuance of payments.

In accordance with statutory requirements and with normal operating procedures of the College, there are cases where payments do not require Board of Trustee approval. These include payments to government entities (e.g. for state pension and health benefits disbursements), student financial aid disbursements (e.g., where WCCC is a passthrough agency for the delivery of state and federal financial aid to student accounts, , normal cash management activities (e.g., transfer of funds to and from College approved banking and investment institutions that manage daily cash transactions), transfers between the College and Foundation, and payments to certain state contract vendors.

The College disburses funds electronically or through paper checks. Checks or electronic payment authorizations shall be as follows:

1. All paper checks shall require two signatures. All electronic transfers shall be processed through secure networks and shall have backup documentation approved by either the President or the Vice President of Finance and Operations. Electronic payments shall be made in accordance with state statutory and regulatory procedures.
2. Checks may not be issued without electronic purchase orders of paper payment vouchers approved by the President (if over \$1,000), the Vice President of Finance and Operations and the designated budget manager (if appropriate). The Vice President of Corporate and Continuing Education, the Vice President of Academics, the Purchasing Manager or the Budget and Finance Manager may substitute in the case of absence of the President and/or the Vice President of Finance and Operations.

3. The President shall establish signatory thresholds for budget managers to approve purchase orders, vouchers and other financial documents.
4. On campus check signatories shall be limited to the President, Vice Presidents, the Purchasing Manager and the Director of Business Services.
5. Off-campus check signatories shall be limited to the Chair of the Board of Trustees and the Treasurer of the Board of Trustees.
6. The President shall sign all vendor checks in excess of the bid threshold. In case of the absence of the President, the checks shall be signed by the Vice President of Finance and Operations and an alternate signatory. The President shall sign the payment voucher for these checks upon his/her return.
7. Payroll transactions shall be processed using an approved payroll vendor with payments based on the electronic time and attendance system, timesheets or contract provisions (for instructors). As permitted by law, unless otherwise authorized, payment of employee wages should normally be via direct deposit.
8. New Jersey fringe benefit payments and other payments as required shall be made to vendors electronically in accordance with State of New Jersey requirements.

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Revised: 05/09/07  
Revised 2/27/13  
Revised: 5/20/17  
Revised : 6/22/24

## **502.5 USE OF COLLEGE ACCOUNTS**

WCCC shall establish accounts to effectively manage the revenues, expenses and assets of the College. In order to appropriately account for its resources, the College shall establish accounts in funding groups as follows:

### **General Funds (Fund Designation 0)**

These funds reflect the revenues, expenses and assets associated with the general operations of the College. Revenues included under general funds include: tuition and fees (with subsidiary student accounts), county and state appropriations, auxiliary, grants and miscellaneous revenues. Expenses include the educational and general operational expenses of the College, including salaries, benefits, equipment, supplies, services, financial aid, general facility expenses and non-capitalized equipment.

The Board of Trustees approves the allocation of General Funds through its approval of the annual budget. General Funds are subject to oversight by the Board of Trustees, in accordance with federal and state statutes applying to colleges and universities (GASB standards).

Within the general funds are funds for the operating budget (with revenues and expenditure departments beginning with 1xx), designated funds (beginning with 2xx), state grants (beginning with 3xx) and federal grants (beginning with 4xx). Designated funds are approved through board resolutions. Certain grant funds may also be required to be approved through board resolutions.

### **Plant Funds (Fund Designation 1)**

Plant funds reflect the revenues, expenses and assets associated with the physical and capital resources of the College. These include building improvements, building and grounds and construction activities. Capital funds are non-operating expenses, meaning that they are for a specific projects or projects but are not re-occurring operating expenses.

Construction projects supported through this fund must be approved by the Board of Trustees. Plant Funds are subject to oversight by the Board of Trustees, in accordance with federal and state statutes applying to public colleges and universities (GASB standards).

### **Restricted Funds (Fund Designation 2)**

Restricted funds reflect revenues, expenses and assets associated with restricted activities, primarily student clubs and organizations. Restricted fund revenues include club fundraising and donations. Expenses may include, but are not limited to equipment and supplies, travel or other needs of the individual organizations.

Restricted funds are not subject to the oversight of the Board of Trustees; however, their use must be appropriate to the mission/by-laws of their organization, consistent with the role of organizations associated with colleges, and in accordance with any applicable federal and state statutes. Because the College is the repository of these funds and clubs are affiliated with the College, all financial transactions of student organizations are subject to the approval of club advisors and normal college signatories, and are subject to annual audit by the College's auditor using GASB standards.

### **Foundation Funds (Fund Designation 3)**

In order to assist the Warren County Community College Foundation (WCCCF), Warren County Community College provides an accounting of the revenues, expenses and assets associated with the WCCCF. Although the WCCCF is a separate 501(c)(3) organization, it is also recognized by accounting standards as a component unit of the College.

Foundation Funds are not subject to the oversight of the Board of Trustees, rather they are subject to the oversight of the WCCCF Directors and disbursements must be in accordance with the requirements of that organization. Use of these funds must also be consistent with

any donor restrictions (including endowment restrictions or permanent use restrictions) and the by-laws of the WCCCF. WCCCF funds are not governed by the same state expenditure rules (example, the bid threshold), but any payments to the College or its employees must be in accordance with state ethics guidelines and federal standards for tax-exempt organizations. Because the WCCCF is considered a component unit of the College, Foundation funds are subject to annual audit by the College's auditor under applicable FASB standards.

The following principles shall apply to all funds held by WCCC:

- 1) Funds held by the College must be used for the intended purpose of the College, Foundation, or student organization. Individual accounts shall be established through the Business Office to track revenues and expenditures.
- 2) College accounts may not be used by an individual student or employee to solicit contributions to benefit themselves.. An individual cannot solicit funds using the College's name or request a donation to an account in his/her name at the College.
- 3) It is acceptable for College accounts to be used to raise and disburse funds or for specific public service groups or charitable organizations. For example, a student club may collect funds for a charitable organization. However, any government appropriations or grants may not be transferred to outside organizations unless specifically approved by the government funding source or grantor agency.
- 4) The Board of Trustees may elect to designate or restrict any year-end funds in the categories of General Funds or Plant Funds to meet future priorities of the College through a resolution of the Board.
- 5) The Board of Trustees may elect to transfer funds between and among fund categories to meet the mission of the College. Any assets transferred from the College to Restricted or Foundation accounts will be subject to any Board restrictions placed upon these funds.
- 6) In the case where assets remain for an organization no longer present on campus (example, a student club no longer exists), the Board of Trustees shall make a determination of the most effective way to allocate the assets in accordance with the intent of the organization and the College's mission.
- 7) The College shall exercise appropriate oversight of all funds held by the College, including the proper recording, deposit, allocation and disbursement of funds in accordance with the intended use of these funds.

Approved: 05/12/10

Revised: 02/14/18

Revised: 06/18/25

## 503 PROCUREMENT

The President is the College's designated procurement authority with the right and responsibility to establish and oversee a procurement system consistent with sound business practices, which will identify and control the need, use, quantity, and quality of materials and services ordered and received by the College.

## **503.1 BIDDING REQUIREMENTS**

In accordance with County College Contracts Law (N.J.S.A. 18A:64A-25.1 et. seq.), the College shall endeavor to publicly bid all contracts and procurements more than the bid threshold established at the time of enactment and reviewed every odd-numbered year subject to change by the Treasurer. If the College bids an item, the bid must be publicly advertised for ten days and the College must select the “lowest responsive and responsible bidder” as defined under statute.

## **503.2 STATE OR FEDERAL CONTRACTS**

The College may use State of New Jersey contracts to procure items in lieu of bidding items. Under these circumstances, the State of New Jersey, through the Division of Purchase and Property, already has bid for commodities or services on behalf of state, county, and local governmental agencies. Similarly, the County College Contracts Law permits the College to use Federal contracts and national cooperative contracts as established through P.L. 2011, c.139, as a method of procurement. There is no Board of Trustee approval required to purchase by this means.

The County College Contracts Law also permits the College to purchase items or services from vendors without public advertising or bidding as long as the costs are at or below those of State contract pricing and the terms and conditions equal or exceed the State contract. Procurements in excess of the “Pay to Play” threshold of \$17,500 must be approved by the Board of Trustees through a Non-fair and Open or Fair and Open process.

## **503.3 BID WAIVERS**

The statute provides several conditions whereby the public bidding of contracts and procurements may be waived (“bid waiver”) and approved by the Board of Trustees. These are as follows:

- 1) The Procurement falls into one of the 24 categories specified in statute where the Board may waive the public bidding requirements or
- 2) The procurement is necessitated by an emergency situation; or
- 3) The contracts or procurements are entered into with the US Government, the State of New Jersey, a county or municipality, or any other public board, body, officer, agency, or authority; or
- 4) The College has previously publicly advertised twice and has not been able to successfully award the contract. In such a case, a procurement or contract may be awarded based on a 2/3 vote of the Board of Trustees or

- 5) The College enters into a Joint Purchasing Agreement with other New Jersey colleges, its local county government, or municipalities within its local county.

#### **503.4 BOARD APPROVAL OF A BID WAIVER**

The following procedures will be used when the College determines that it is necessary or advantageous to award contracts or procurements outside of public advertising.

The President shall submit to the Board of Trustees any procurements or contracts that are eligible for approval by the Board under conditions 1, 2, 3, or 4 listed above.

The request for a “bid waiver” under any of these conditions shall include the name of the vendor, the total contract or procurement amount, the purpose of this expense, and other explanatory information as necessary along with necessary bid-waiver language.

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In cases where the procurement or contract must be expedited to meet the operational or financial needs of the College, the President shall seek the approval of the Operations Committee to expedite the transaction. In this case, the President shall seek a “confirming bid waiver” for this activity from the Board of Trustees at its next scheduled public meeting.

#### **503.5 REQUEST FOR PROPOSAL**

A Request for Proposal (RFP) is a solicitation of competitive proposals for a specific service. RFPs are intended to determine the best possible vendor for the College but are not necessarily limited to the lowest cost proposal. An RFP can be done in lieu of a bid in the categories where the Board can approve “bid waivers.” RFPs shall be publicly advertised and/or advertised on the College’s website. RFPs may also be sent to companies or firms that are known to offer the preferred service in addition to the public advertisement..

- 1) Should the College determine to advertise the RFP publicly, then it will provide proposers with at least ten days to submit a proposal.
- 2) In certain circumstances, sending proposals to pre-determined vendors may be more effective rather than publicly advertising an RFP. Examples where this may make sense are as follows:
  - a. Few vendors provide the service, and the College needs to reach national firms outside the region (computer equipment and software may fall into this category)
  - b. The College may require vendors with experience on specific computer or building systems and may need to rely on a consultant to determine appropriate vendors (for example, an engineer may provide the College with names of

several local firms that are experienced with the matter of concern or needed investigation such as structural or mechanical)

- c. The service is very specialized, and only a few vendors provide it. (An example may be student payment plan, where only a few vendors provide comprehensive online services in New Jersey.).

3) The RFP shall include the following:

- a. Services sought to be provided over a specific period
- b. Submission requirements, including the due date for the proposal submission
- c. Criteria to be used to evaluate proposals
- d. Any special requirements, such as a proposers conference or a meeting with the Board of Trustees Operations Committee
- e. Basic insurance, bond if required, or indemnification requirements
- f. Contact information for questions

## **503.6 PAY TO PLAY STATUTORY REQUIREMENTS**

Consistent with N.J.S.A. 19:44A-20.4, et seq. ("Pay to Play" legislation), the Board of Trustees must publicly approve all vendor contracts/purchases exceeding \$17,500 (i.e., the "Pay to Play threshold") and obtain financial contribution disclosures from vendors as required in this statute. The Board shall use the fiscal year (July 1 through June 30) as the period for applying the "Pay to Play" requirements. This legislation does not apply to contracts with government agencies, national cooperatives that utilize a state-approved open bidding process, non-profit entities, banks, insurance companies or utilities. It also does not apply to purchases made through state contracts, as the State of NJ publicly bid on them.

To the extent possible, the College will solicit competitive contracting and/or proposals through a bid or an RFP process for procurements or services in excess of \$17,500 (or any amended threshold amount).

In cases where competitive solicitation of pricing is either not possible or practicable, the College shall seek approval from the Board of Trustees for the contract/purchase as a "Non-fair and Open Contract" in accordance with both "Pay to Play" legislation and County College Contracts law.

## **503.7 FORMAT FOR APPROVING PROCUREMENTS**

The Board shall approve contracts or purchases via one of three possible methodologies, depending on statutory and college requirements:

- 1) As a "*Bid Waiver*" for items that exceed the bid threshold (currently 41,600 and do not require "Pay to Play" approvals as specified in NJ statute (e.g., banking, insurance, public utility services)

The Bid Waiver shall follow the format prescribed in Section 503.4 above.

2) As a “*Fair and Open Process Resolution*” for items and services more than the “Pay to Play” threshold (currently \$17,500) that are solicited through a competitive process.

The “*Fair and Open Process Resolution*” shall follow the general format as prescribed by the State of New Jersey Division of Local Government Affairs.

3) As a “*Non-Fair and Open Process Resolution*” for bid waivable items and services or emergency procurements in excess of the “Pay to Play” threshold (currently \$17,500) that were not solicited through a competitive process but that the Board is permitted to approve because they are either

- under the bid threshold statute (\$41,600), or
- meet the Bid Waiver conditions of section 503.3 above.

The “*Non-Fair and Open Process Resolution*” also shall follow the general format as prescribed by the State of New Jersey Division of Local Government Affairs or

Below is a chart summarizing the formats for Board approval of procurements:

<u>Key</u>	<u>Type of Board Approval Required</u>
Fair	Fair and Open Contract Resolution
Non-Fair	Non-Fair and Open Contract Resolution
Bid Waiver	Bid Waiver Required
NA	No Board Action Required

Category	$\leq \$17,500$	$\$17,501 - \$41,600$	$> \$41,600$
Competitive	NA	Fair	Fair
Non-Competitive	NA	Non-Fair	Non-Fair—For Bid Waivable Items Only
Utilities, Insurance, Banking	NA	NA	Bid Waiver
State Contract Vendor or State approved national cooperative	NA	NA	NA
Contract with Public or Govt. Agency	NA	NA	NA
Contract with Non-Profit	NA	NA	NA

Approved: 3/22/85

Revised: 3/22/05

Revised: 08/16/06

Revised: 02/24/10  
Revised: 12/20/17  
Revised: 04/01/23  
Revised: 12/13/2023

### **503.8 USE OF COURTESY CARDS**

Courtesy cards allow WCCC to make purchases through select local vendors and reimburse the vendor on a monthly basis. Courtesy cards allow College employees to go to a local store and pick up minor items as needed. Courtesy cards are more effective than just reimbursing employees for out of pocket expenses as a) the employee does not have to advance their own money and b) the courtesy cards accept the College's tax-exempt status so they are more cost effective to use.

The Board shall permit the use of Courtesy Cards with select vendors as long as the following conditions are met:

- 1) Courtesy Cards are to be secured in the Office of Campus Operations.
- 2) Employees (but not students or vendors) may use these cards to complete small purchases as needed. An example of such a procurement is the purchase of water, snacks, paper products from a supermarket for a meeting.
- 3) An employee seeking to use a courtesy card must complete a "Use of Courtesy Card" form, which indicates the items to be purchased and the estimated cost.
- 4) This form is to be treated similarly to a purchase order and approved by the Dean of Administration or designee.
- 5) The employee will return both the courtesy card and the itemized receipt to Campus Operations immediately upon returning to campus.
- 6) Campus Operations will complete an electronic purchase order for the transaction based on the amount on the itemized receipt.
- 7) The Business Office will make payment upon receipt of the invoice from the vendor.

The use of courtesy cards is not intended as a substitute for the normal procurement process for larger purchases. Courtesy cards are intended for small or perishable items that are more convenient to purchase at a local store. The Dean of Administration shall monitor the use of courtesy cards and ensure that they are used effectively.

Approved: 03/23/19  
Reaffirmed: 03/14/24

### **503.9 RECORDING OF COLLEGE ASSETS**

The College's financial statements include an estimate of WCCC assets. Material college assets are recorded at acquisition cost and then depreciated based on IRS accepted guidelines.

WCCC will follow the college capitalization threshold (currently \$2,500) in capitalizing all equipment purchased through federal funds unless otherwise specified through a federal or state requirement. Capitalized items shall have an inventory tag affixed and also a federal grant identifier, if required. Capitalization shall be based on the following useful life:

- Equipment 5 Years
- Furnishings/Fixtures 7 Years
- Additions, Improvements 15 Years
- Facilities 50 Years

Disposal of equipment prior to the end of useful life due to breakage or obsolescence will be recorded on the inventory and deletions/depreciation expenses adjusted accordingly on the inventory. Disposal of equipment shall be in accordance with the County College purchasing statute requirements. Any computer equipment that is disposed of must first have all its data erased by the IT Department.

Approved: 12/13/23

## **504 MANAGEMENT OF FEDERAL GRANTS**

WCCC participates in several federal grant programs. In many of these grant programs, the college must attest as a condition of receipt that it follows various basic federal grants. A direct award of federal grants confers the terms and conditions that the College must apply. For example, the receipt of federal financial aid funds requires compliance of various Title IV regulations, including a series of policies and procedures for effective management of funds. Acceptance of other grants through the Grant Award Notification (GAN) process also entails the acceptance of the terms of conditions of these grants.

In cases where WCCC is a subgrantee recipient, it may not have a direct contract with a federal agency. In these cases, the College will follow various federal requirements as follows:

### **Cash Management**

The College shall follow the principles of 2 C.F.R. §§ 200.302(b)(6) and 2 C.F.R. §§ 200.305, which consider reimbursement of grant funds from the federal government after expenditure outlays to be the preferred method of drawing down federal funds. It is possible that a large expenditure may require the drawing of some grant funds to meet institutional cash flow needs. In this case, the college will follow the “minimal cash on hand” concept, where the college will draw down just enough funds to meet any cash flow needs.

Cash will be drawn down by the VP of Finance and Operations, or designee, based on the preparation of a reconciliation worksheet detailing the amount disbursed against the revenue received. All fiscal year drawdowns and reconciliations will be included as part of the annual College audit. These reconciliations will be retained for at least 3 years (or whatever the record retention policy is for a particular grant).

### **Financial Accounting and Allowable Costs**

In accordance with 2 C.F.R. §§ 200.302, All federal grants shall be assigned a separate General Ledger (GL) department for revenue and expenses so that the grants can be annually reconciled and reported to a federal agency on either a state fiscal year (FY) or a federal fiscal year (FFY).

Allowable costs are those expenses made in accordance with the grant application or any subsequent budget modification. The College shall follow all rules related to transfers among budget categories as permissible in each grant.

Unless specifically permitted, no federal funds may be used to supplant college funds. Grant funds may be used to supplement college expenses but not to replace institutional expenses.

Financial records shall be maintained for at least 7 years unless otherwise specified by the New Jersey Records Retention requirements, which designates some documents as permanent. Physical records may be obtained offsite and are subject to public access through either the New Jersey OPRA statute or the Federal FOA requirements/

### **Internal Controls**

In accordance 2 C.F.R. § 200.303, all Federal Grants shall be subject to all internal controls in place at the college, including:

- 1) Segregated budgets for each grant
- 2) Multiple approvals for all purchase orders under a grant
- 3) Segregated Purchasing and Accounts Payable procedures for grant funds
- 4) Two signatories on all checks for all grant funds
- 5) All grant drawdowns and journal entries prepared by the Finance Office
- 6) Strict data security measures, including double factor identification, used to protect any personally identifiable information.

### **Conflicts of Interest**

Board Policy 201.11-Code of Ethics for College Employees applies to the awarding of all federal contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. WCCC officers, employees, and agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, none of non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

### **Purchasing**

Board Policy 503 details college policies related to purchasing policies in accordance with the County College Contracts Law (N.J.S.A. 18A-64A-25.1 et. seq.). In addition to these requirements, the College will abide by the following federal guidelines from 2 C.F.R. § 200.318 et. seq. for purchases through federal funds:

- 1) Purchasing through federal funds is subject to the same rules and requirements

- 2) The College shall not award contracts supported through federal funds to contractors who are suspended or disbarred due to a federal or state determination.
- 3) The College will follow college capitalization thresholds in capitalizing all equipment purchased through federal funds unless otherwise specified through the federal grant. For example: the current College capitalization threshold is \$2,500, however, the Perkins Grant threshold is \$2,000. Therefore, WCCC shall use \$2,000 for all purchases through the Perkins Grant. Capitalized items shall have an inventory tag affixed and also a federal grant identifier, if required. Capitalization shall be based on the following useful life:

<input type="radio"/> Equipment	5 Years
<input type="radio"/> Furnishings/Fixtures	7 Years
<input type="radio"/> Additions, Improvements	15 Years
<input type="radio"/> Facilities	50 Years

- 4) All capitalized items shall be added to the College's fixed asset inventory, which is closed at the end of each fiscal year as additions, deletions and depreciation is calculated for the annual audit. This inventory is shared annually with the auditors, who check a random sample of items in all facilities.
- 5) Disposal of equipment prior to the end of useful life due to breakage or obsolescence will be recorded on the inventory and deletions/depreciation expenses adjusted accordingly on the inventory. Disposal of equipment shall be in accordance with the County College purchasing statute requirements. Any computer equipment that is disposed of must first have all of its data erased by the IT Department.

## Travel

In accordance 2 C.F.R. § 200.475, all travel expenses through federal grant funds must be in accordance with Board Policy 201.5-College Travel/Meals/Lodging. Users shall submit pre-approval paperwork as required and shall also submit expense forms promptly upon a return from their travel.

Reasonable travel expenses that may not be covered by federal funds will be eligible for college reimbursement through college funds as long as they are in accordance with the Board policy.

## Mandatory Disclosure of Fraudulent Activities

In accordance with 2 C.F.R. § 200.113 2, WCCC must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

Approved: 12/13/23

## 505. MANAGEMENT OF CASH AND PAYMENTS

The Business Office is the designated College office to handle fiscal transactions, including cash, check, electronic or credit card payments. This office also is responsible for disbursing refund checks to students as well as managing all vendor checks and other checks produced "in-house."

While the Business Office is the primary office responsible for handling fiscal transactions with students and other patrons of the College, there are occasions where other offices may handle funds directly. These situations may include, but are not limited to: the collection of cash payments for continuing education programs at the Phillipsburg Education Center, the collection of funds from club fundraising activities or other special events, or the collection of application fees or other payments at times when the Business Office is not open. In these instances, the following procedures should be followed:

- a) It is the responsibility of the manager of each office or area that collects payments to reconcile these payments and to provide these payments, along with the information as to where the funds should be applied, to the Business Office. In addition, the office receiving payments in person should provide a written receipt to the payee reflecting the transaction and retain a copy where appropriate. Funds collected should be promptly transferred to the Business Office. Offices should not keep payments overnight unless the Business Office already is closed for the business day. In that case, the payments should be secured and forwarded to the Business Office on the next business day.
- b) The Club Advisor is responsible for ensuring that Student Organizations that collect funds from fundraising or other activities deposit funds as soon as possible with the Business Office. Funds collected during days when the Business Office is open must be deposited on the same day. The Business Office will set up accounts for clubs or organizations and these organizations may access their funds via a check request process. In cases where funds are collected during periods when the Business Office is closed, the student organization shall work with the Business Office prior to an event to develop an appropriate procedure for holding cash. Where appropriate, the Business Office will work with student organizations regarding the receipting of funds for trips or other major activities.
- c) In order to protect consumer financial information from possible identity theft, only the Business Office (Washington) and the Continuing Education Office (Phillipsburg) should receive credit card or personal check information. Although the College Business Office accepts credit, debit, check or cash payments in person for amounts due to the College, students are strongly encouraged to enroll in on-line payment plans for any semester charges. WCCC shall not retain any paper or electronic credit or debit card or check information. Any paper registration form for Continuing Education courses containing credit, debit or bank account information shall be immediately destroyed after a payment is processed in the Business Office.
- d) Any check payments for the Warren County Community College Foundation will be immediately destroyed after the transaction is processed. Upon receipt of any payment, the Foundation shall transfer any checks or cash received by the Foundation to the Business Office. No physical copies of checks or cash will be retained but the name of the donor and the amount donated will be recorded for acknowledgement through the Foundation Office.

e) There are selected offices that require a petty cash fund for miscellaneous transactions. Petty cash disbursements generally should be limited to no more than \$100.00 for items where a college check is not practical (example: a tip for the driver of a bus trip). These petty cash funds shall be reconciled periodically and all transactions made from the fund must be documented and reported.

Approved: 04/27/05  
Revised: 11/18/09  
Revised: 02/14/2018  
Revised: 02/18/25

## **505.1 OUTSTANDING COLLEGE CHECKS**

In order to ensure that the College's banking reconciliations and expense statements are as accurate as possible, the College shall use six months as the "stale date" for all checks issued by the College. Any payroll, operating or student account checks issued by Warren County Community College and not negotiated within six months of issuance will be reviewed. Depending on the status of this review, the Business Office shall act to void and reissue these checks as necessary. Uncashed checks will be escheated to federal or state governments in accordance with applicable escheatment laws.

Approved: 05/24/06  
Revised: 02/14/2018  
Reaffirmed: 06/18/25

## **505.2 STUDENT ACCOUNTS**

It is in the best interest of the Warren County Community College and the taxpayers of Warren County that WCCC collects tuition and fee payments on a timely basis. To this end, the College will establish payment due dates prior to the beginning of classes. The College may cancel the enrollment of any students who have not made satisfactory payment arrangements to the College by the payment due date. The College also will require students to satisfy any outstanding payments before permitting the student to register for another term or to graduate from College.

Recognizing that external agencies are occasionally necessary to assist with debt collection, the College is authorized to use collection agencies after internal efforts are unsuccessful at collecting payments due to the College.

After all collection efforts have failed, and consistent with standard accounting practices, the College shall write-off debt in excess of three (3) years. In addition, that there may be extraordinary circumstances, including, but not limited to death, significant injury, illness, or severe family circumstances, that make it impossible for a student to satisfy a payment to the College. In these instances, the Board grants the President or designee to write-off this debt with appropriate documentation to the College.

There are occasions when credit balances exist on student accounts due to financial aid disbursement or class drops. Unless a student requests in writing that these funds remain on his/her account, WCCC will process a refund check for the student. Credit balance funds that remain unused on an account shall be refunded to the student via a refund check at the end of the semester.

In rare instances, the College may provide a student with the opportunity to retake a class due to special circumstances such as a medical withdrawal or another documented hardship. Credits are granted through the Special Considerations Process (see Policy 501.1). These credits are discretionary on behalf of the College and shall expire within the timeline specified by the Special Considerations Committee. In no instance shall the credit extend beyond three (3) years of issuance.

The College reserves the right to write off account credits or debts of \$10 or less after a period of one year or in accordance with State or Federal laws.

Approved: 01/26/05

Revised: 11/14/07

Revised 12/17/14

Revised 11/15/23

## **505.3        TITLE IV CASH MANAGEMENT POLICY**

### **Disbursement of Funds Upon Enrollment Validation**

#### **Disbursement of Funds Upon Enrollment Validation**

Warren County Community college shall disburse federal financial aid funds to students in accordance with a student's enrollment status. Because the federal government requires a student to be enrolled in order to receive financial assistance, the College shall validate that a student is actively enrolled prior to the disbursement of funds. Other than advances for educational supplies ("bookstore vouchers"), Title IV grant or loan disbursements shall require enrollment validation prior to disbursement. Enrollment is validated through instructor grades or other instructor feedback.

The student grading system includes a methodology for tracking attendance. Students who have received a grade of NF are considered to have never attended a class. Title IV aid cannot be awarded for classes where the student has earned an NF.

Students who began a course but do not complete it are considered to be "officially" or "unofficially" withdrawn. The withdrawal date will be used to calculate whether a student has fully earned his/her financial aid. An "official withdraw" occurs when a student receives a "W" grade for a course. This encompasses a Withdrawn (W), Withdrawn Passing (WP), Withdrawn Medical (WM), Withdrawn Active Military (WA), or Withdrawn Failing (WF). These Official withdraws Students who formally withdraw from classes shall have an official withdraw date recorded as the date the withdrawal is processed.

Students who do not complete a course but have not officially withdrawn will be considered to have "unofficially withdrawn": and will receive an XF grade. The unofficial withdrawal date will be the "Last Date of Attendance" as recorded by the faculty through attendance reporting..

Loan draw-downs and disbursements shall be made after 30 days of enrollment, based on "Early Alert" enrollment reporting. Grant disbursements shall be made upon mid-term enrollment validation. Nothing herein shall prevent the College from providing "emergency student loans" to students who face financial need and have demonstrated active enrollment participation (see Policy 501.7).

### **Disbursement and Refund Processing**

Once enrollment is verified, the College shall disburse federal financial aid to student accounts. A disbursement occurs when the College reports the disbursement of funds to the federal Department of Education and draws down financial aid funds to the College's bank account. Students are able to see disbursements on their financial aid account in the EAGLE system.

A student credit balance occurs if the amount of financial aid processed exceeds the payment balance on a student account. Should a student have an excess credit balance on his/her account after the disbursement of financial aid funds, the College will process a student financial aid refund for the student. This refund shall be processed within 14 days of the financial aid disbursement date.

Students who officially or unofficially withdraw from classes after financial aid is disbursed may have their grant funds recalculated. Unearned financial aid funds will be returned to the federal government in accordance with federal Return to Title IV (R2T4) requirements. In the case of an official withdrawal, an R2T4 shall be completed within 45 days after the Financial Aid Office becomes aware that the student has withdrawn from classes. In the case of an unofficial withdraw, the R2T4 will be completed within 45 days after the Financial Aid Office is made aware of the withdrawal. Students shall be responsible for any outstanding payment due to WCCC as a result of the non-disbursement or return of financial aid funds.

### **Credit Balances Retained by the College**

WCCC will not refund any credit balances of less than \$1.00 but will credit such amount to a subsequent student charge. In addition, the College will honor any student's written request to hold a credit balance in accordance with policy 505.2 (Student Accounts). Unused Title IV credit balances shall be refunded to a student at the end of the semester.

### **Escheating of Title IV Funds**

Escheating means that the College must dispose of funds that it cannot deliver to the proper payee. Normally WCCC escheats funds to the State of NJ after holding the funds for three-year period in accordance with state law. Student refund checks containing Title IV credit balances do not escheat to the State. After an effort to contact students, all outstanding student refund checks are reviewed for inclusion of Title IV funds. Title IV funds are then returned to the appropriate Title IV program within the time period prescribed by the US Department of Education. Non-Title IV funds shall escheat to the State following inn accordance with NJ Statutory requirements.

Approved 12/17/14  
Revised: 05/18/2019

## **507. INVESTMENT POLICY**

The Board of Trustees shall designate any depository for college funds. College investments shall be in accordance with New Jersey statutes. Unless otherwise designated by the Board of Trustees, the College shall use the State of New Jersey Cash Management Fund for the investment of cash in excess of cash flow requirements. The Board shall annually designate the investment manager and bank depository at the November reorganization meeting.

The Finance and Audit Committee of the Board of Trustees is charged with periodically reviewing investment options of the College with the goal of minimizing risk, while maximizing investment income and ensuring appropriate liquidity needs for the College in accordance with state statutes.

Approved: 02/21/86  
Revised: 04/19/06  
Revised 02/14/18  
Reaffirmed 06/18/25

## **508. POLICY ON ELECTRONIC TRANSFER OF FUNDS**

Where appropriate, the College shall use electronic fund transfers to expedite investment, payroll and college payment transactions. Electronic fund transfers shall be subject to the same approval authorizations as paper transactions. The President shall designate appropriate Finance Office staff to effectuate electronic fund transfers.

Employees must authorize all direct deposit transactions using the approved WCCC direct deposit form. For the protection of employee funds, direct deposit changes cannot be made over the phone or via e-mail and only signed original documents will be processed. Employees seeking changes to their existing direct deposit authorization or to enter a direct deposit arrangement should contact the Office of Human Resources.

Approved: 05/23/86  
Revised: 08/16/06  
Revised: 05/18/2019

## **509. TOBACCO PRODUCTS**

The College's smoking policy shall be in accordance with state statutory requirements. The use of any and all tobacco and vaping products, including electronic cigarettes, is prohibited in all buildings and vehicles leased, owned, or maintained by Warren County Community College. Use of these products is permitted only in specific outside areas as designated by the College.

Approved 8/25/89  
Revised: 04/19/06  
Revised: 5/18/13

## **510. NON-COLLEGE GROUPS USING COLLEGE FACILITIES**

Use of college facilities by non-college groups may be approved subject to the guidelines established by this policy and other appropriate college regulations.

The use of facilities must be for purposes that do not conflict with the aims and purposes of college policies or local, state and federal laws. Approval to use facilities does not necessarily imply approval of the aims and purposes of the sponsoring organization or for the event being planned. Also, because Warren County Community College is a non-partisan, public institution, it reserves the right to restrict or deny the use of college and campus facilities in accordance with statutory requirements.

This policy does not apply to registered student organizations at any location of the College as long as their use is compatible with the goals and intent of the student organization.

In order to meet the intent of P.L. 2009, Chapter 148 of controlling student indebtedness, no credit card issuers may use college facilities to solicit or advertise for credit cards.

College use of all facilities shall have preemptive priority over all non-college groups. The College reserves the right to cancel, postpone, or alter arrangements for any event if necessary. In all instances, the College decisions will be made to ensure minimum disruption of its normal activities and to ensure its optimum use as a resource for the community.

Any use of the name of the College, other than to indicate the location of the event, must be approved in advance by the College through the Office of Campus Operations. Request forms are available at the Office of Campus Operations.

Except as permitted, no materials or information can be distributed or announced on campus, be placed on, or attached to, or written on any structure or anywhere on the grounds of the campus.

Information must be provided in advance to the College concerning any financial activities or transactions planned by the non-college group during its use of the facility.

The group will be charged a rental fee based on rates approved by the Board of Trustees. An additional surcharge will be assessed to groups using college facilities to cover the cost of any required additional staffing, maintenance and security. Fees may be waived only upon the written authorization of the President of the college.

The College requires insurance coverage and proof of the same by providing a certificate of insurance naming Warren County Community College as an additional insured indicating at least \$1,000,000 bodily injury coverage and \$1 million property liability coverage. The policy will include a 20-day notice of cancellation. An Indemnification Agreement, available at the Office of Campus Operations, must be executed and on file with the College.

Revised: 11/17/10  
Revised: 11/06/19

## **511. UNACCOMPANIED CHILDREN POLICY**

Children aged 14 and under who are not enrolled in a WCCC program may not be left unattended on the grounds, in automobiles, or in any facility owned, leased, or used by the College. Children may not be taken into classrooms or laboratories when instruction is in session unless they are enrolled in the course or receive special permission from the instructor. If children are found unsupervised on college grounds, parents or guardians will be contacted regarding the situation. If such a contact is unsuccessful, then the College will contact law enforcement on this matter.

Approved: 09/22/89  
Revised: 04/19/06  
Revised: 5/21/16  
Revised: 12/13/23

## **512 SECURITY AND ACCESS TO COLLEGE FACILITIES**

Consistent with the nature of a college community, Warren County Community College seeks to provide an atmosphere for openness and for the encouragement of collegiate activity on campus facilities. However, the policy of promoting openness must be balanced by controls on access to campus facilities designed to promote security in campus facilities.

The Office of Campus Operations will develop rules and regulations on access and security of campus facilities including parking, vehicle registration, college identification cards and visitor sign-in procedures.

This office also shall be responsible for reviewing campus security needs, including lighting, landscaping and the College's physical plant (door, locks, etc.) to determine what improvements if any need to be made for security on the campus, and shall coordinate any safety repairs or upgrades to campus facilities. Campus Operations also shall be responsible for coordinating any safety and security inspections (with both internal staff and external agencies) as well as the oversight of safety and security training needs, safety meetings and information sessions for members of the College community.

Definition:

"Campus" is defined as any building or property owned or controlled by the College within a reasonably contiguous geographic area and used by the College in direct support of or related to its educational purposes. Campus shall also include any building or property utilized by the College such as satellite facilities.

Approved: 11/02/92  
Revised: 05/09/07

Revised: 06/24/15  
Reaffirmed: 3/23/19

## **512.1 USE OF EXTERNAL GROUNDS**

In order to protect the safety and health of students and employees, and to maintain as much of the campus in its natural state, while encouraging public use of its campus, the College prohibits the use of off-road vehicles, hunting, discharge of firearms, rollerblading, skate boarding, hitting of golf balls, riding horses, and other uses incompatible with the principal purpose of the institution which is to provide educational programs and services. The use of a UAS at the drone port is prohibited without permission from the Dean of Administration. Signage is posted throughout the grounds cautioning against prohibited activities. Guidelines for the posting and enforcement of this policy are the responsibility of the College President or his/her designee.

Approved: 05/24/96  
Revised: 11/15/06  
Revised: 06/24/15  
Revised: 03/23/19

## **512.2 PUBLIC ACCESS TO CAMPUS FACILITIES**

Members of the public are welcome into public areas of WCCC facilities during operating hours as long as they observe and behave in compliance with the WCCC Standards of Community Conduct. "Public areas" include the lobby and library of both the Washington Campus and the PEC, as well as rooms/facilities that are being used for public events, such as special lectures, graduation ceremonies and fundraising activities. All visitors, with the exception of invited guests for special events, must sign in at security. No members of the law enforcement community may access the building unless invited by a college official or arranged through the Coordinator of Public Safety. This rule does not apply in cases where there is a judicial warrant or an approved exception to a judicial warrant. In the case of a judicial warrant, law enforcement must wait in a designated public area until the appropriate officials may be contacted.

Only currently enrolled college students, employees, and officially invited college guests are permitted in college classrooms and laboratories. Non-enrolled persons cannot attend college classes unless that attendance is for approved accommodation needs or has been pre-approved by the College prior to the class. The judgment of the Vice President of Academic Affairs is final in this matter.

College parking areas may not be used for non-college related activities (examples: "park and ride" commuting, overnight truck parking, parking for non-college sponsored or hosted events, etc.). Any outside group seeking to use the College's external facilities in Washington or Phillipsburg must have the use pre-approved by the College. No outside organization may use the front delivery area or the turnaround circle for any event. These areas are for emergency vehicles and deliveries.

Access to WCCC facilities does not mean public access to WCCC phones, networks, wifi, computers, fax machines, copiers or printers (other than public devices in the library). These devices are solely

for WCCC's students, faculty and employees and intended to carry out the College's mission of providing educational services to students.

Children who are brought to the college while parents are on official business may not be left unattended in college facilities. A parent who brings a child to campus is accountable for the behavior of their child.

The College reserves the right to deny any individual who violates this policy from future access to WCCC facilities.

Approved: 06/24/15

Revised: 03/23/19

Revised 02/11/25

## **513. ALCOHOL AND SUBSTANCE ABUSE**

### **1. Policy Statement:**

This Policy applies to all Warren County Community College (the "College") employees, including faculty, staff, post-doctoral associates, post-doctoral fellows, visiting faculty/scholars, graduate assistants, teaching assistance, other student employees, interns, volunteers, vendors, contractors, subcontractors, and visitors, while in an area under the jurisdiction of the College or engaged in College-related responsibilities.

The College is committed to sustaining an academic environment that both respects individual freedom and promotes health, safety, and well-being of all members of the College community. It is essential that all employees, students, and others within the scope of this Policy recognize that the misuse and abuse of alcohol and other drugs constitutes a threat to the educational mission of the College. The College has an obligation to promote a healthy and safe campus environment that includes taking responsibility for one's own actions.

The College seeks to provide an environment that reduces or eliminates the adverse consequences of alcohol and other drug misuse and abuse on individuals, groups, and the College. All members of the College community are responsible for being fully aware of the requirements of the College policies related to alcohol and local, State, and federal laws regarding alcohol and other drugs as outlined herein. This Policy is not designed to be punitive towards individuals seeking rehabilitation. All information about those individuals who voluntarily avail themselves to drug or alcohol counseling or rehabilitation services will remain confidential to the extent possible and permissible by the College policies and applicable law. Seeking counseling or rehabilitation will not be used as a basis for disciplinary action or be used against an individual in any way.

### **2. Reason For Policy**

The College has an obligation to promote a healthy and safe campus environment that includes all individuals taking responsibility for their own actions. This Policy states the College's expectations regarding the use of alcohol and other drugs by employees and other members of the College community, including those using College resources and the responsibilities and obligations in using

alcohol and other drugs. This Policy serves to expressly describe and state compliance requirements and obligations under State and federal laws.

### 3. Scope

This Policy shall apply to all employees, as defined herein, on the property under the jurisdiction of the College, as defined herein, and any other individual described in Paragraph 1.

### 4. Who Should Read This Policy

All College employees, as defined herein, and all individuals identified in Paragraph 1 of this Policy.

### 5. Resources

The following resources are available to employees and supervisors for alcohol and other drug related issues. Employees are encouraged to seek assistance through the Faculty Assistance Program if they believe they may have an alcohol or other drug abuse problem. A non-exhaustive list of resources are below:

Drug Free Workplace Act of 1988

New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act

NJ Addictions Services Hotline: 988

Alcohol: 1-800-322-5525

REACH NJ: 1-844-732-2465

Community Prevention Resources: 908-835-1800

Warren County Community College Human Resources: 908-835-2356

Warren County Community College Security:

908-835-2455 (Washington)

908-878-0202 (Phillipsburg)

### 6. Definitions:

- a. "Alcoholic Beverage": Any liquid beverage containing at least one (1) percent of alcohol by volume, including methyl and isopropyl alcohol that is not intended for human consumption.
- b. "Area under the jurisdiction": Includes all on and off campus property owned, occupied, leased, or used by the College. This includes all campuses, research sites, and leased indoor and outdoor spaces or spaces occupied with a user permit, license, or contract for the conduct or performing of official College business.
- c. "Controlled Substance": A drug or chemical substance whose possession and use are controlled by Title 21, Section 812, Schedules I through V of the United States Controlled Substances Act. This includes, but is not limited to, narcotics, depressants, hallucinogens,

stimulants, and other substances commonly or collectively known as illicit drugs. Medical cannabis and hashish are considered controlled substances.

- d. "Employee": An employee is any individual who performs services for and under the control and direction of the College for wages or other renumeration.
- e. "Events": Any program or activity sponsored by and under the sponsorship of the College.
- f. "Illicit Drug": A type of controlled substance that is imported, grown, or manufactured illegally. This includes, but is not limited to, heroin, cocaine, amphetamines, ecstasy, cannabis, methamphetamine, and LSD.
- g. "Legally Prescribed Medication": Includes drugs prescribed by a licensed practitioner and over-the-counter drugs that have been legally obtained and are being used in the appropriate amount solely by the individual and for the purpose for which the medication was prescribed or manufactured.
- h. "Manufacture": The production, preparation, propagation, compounding, conversion, or processing of a controlled substance or alcohol. This does not include manufacturing for the intended purpose of scholarly research.
- i. "Marijuana and Hashish": All forms of the substance that are not regulated cannabis or medical cannabis.
- j. "Medical Cannabis": Cannabis or related paraphernalia acquired, possessed, transported, or used by a registered qualifying patient under the New Jersey Compassionate Use Medical Marijuana Act and the Jake Honing Compassionate Use Medical Marijuana Act.
- k. "Minor": An individual not of legal drinking age, under 21 years of age.
- l. "Possession": Knowing or intentionally possessing a controlled substance and/or having direct physical control over a controlled substance but does not include possession for the purpose of scholarly research.
- m. "Regulated Cannabis": Cannabis or related paraphernalia legally acquired, possessed, or used under certain conditions as outlined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act.
- n. "Safety-sensitive": Activities involving a risk of moderate to severe injury to the person or property of oneself or others, in the performance of job duties. This includes, but is not limited to, direct support of patient care and treatment, police and security duties, operating a motor or motorized vehicle or potentially hazardous equipment, use of ladders and/or working at heights, use of hazardous materials, maintenance of hazardous facilities such as boilers, utilization of explosives, utilization of lasers, work with high-voltage electricity, or access to controlled substances within the College.
- o. "Sponsoring": The hosting of an official activity on behalf of the College or a unit of the College. Events held by College affiliated foundations shall be a College sponsored event for the purpose of obtaining permission to serve, possess, or consume alcohol.
- p. "Under the influence/impairment": Defined without limitation as being impaired or intoxicated by alcohol or controlled substances, smelling of alcohol or controlled substances, or appearing disheveled or unkempt, slurring one's speech, being argumentative, or being incapable of performing the duties of the job satisfactorily, and when such conduct is reasonably related to an employee's use of alcohol or controlled substances.

- q. "While at work": All times when an individual is on College property, on-call, supposed to be working, including paid breaks, operating College vehicles, or on official College business either on or off site. This does not include events sponsored by the College at which alcohol may be served.

## 7. Compliance with Federal and State Laws

The sale, provision, serving, possession, and consumption of alcoholic beverages on the College campuses are regulated by federal and State laws and local ordinances. All members of the College community are obligated to obey these laws, regulations, and ordinances. The College does not have the authority to alter the laws or obtain exemptions. Members of the College community are individually responsible for determining how applicable laws, regulations, and ordinance apply to them, and obeying such.

- a. The College, as an institute of higher education and an employer, is obligated to abide by and enforce provisions of the Drug Free Workplace Act of 1988, Drug Free School and Campus Act, and the statutes of the State of New Jersey.
- b. No member of the College community may possess, manufacture, distribute, or use drugs, narcotics, or controlled substances and/or paraphernalia containing evidence of such substances on College property except as expressly permitted by law.
- c. Medical Cannabis and Regulated Cannabis, while legally permitted in New Jersey, are prohibited on the College's campuses due to the provisions in the Drug Free School and Communities Act and the New Jersey Regulatory, Enforcement Assistance, and Marketplace Modernization Act.
- d. A person who is a minor may not acquire, possess, or consume alcoholic beverages on any College property or College sponsored event.
- e. A person who is of legal drinking age may not give any alcoholic beverages to a minor, assist, or allow a minor to acquire or consume any alcoholic beverage, except a parent or guardian of the minor, if the alcoholic beverage is consumed for religious observance, ceremony, or rite.
- f. No member of the College may sell alcoholic beverages to any person of any age without a license or special permit issued by the New Jersey Division of Alcoholic Beverage Control.
- g. No person, regardless of age, may possess an open container of an alcoholic beverage in any motor vehicle.

## 8. Alcohol and Other Drug on the Job

While in an area under the College's jurisdiction, at work, or engaged in the business of the College, an individual covered under this Policy may not consume alcohol or controlled substances, except where allowed as defined by this Section.

- a) Alcohol: Limited legal consumption of alcohol at College-sponsored events held during the workday or during a traditional meal break in the individual's workday and off College property is not prohibited by this policy with the exception of safety sensitive functions as described below.
- b) Controlled Substances: Consumption of a controlled substance that has a currently accepted medical use, is at the direction of a health care provider, is prescribed for the

individual, and is being consumed during or prior to the workday consistent with the manner in which it was prescribed, is not prohibited with the exception of safety sensitive functions as described below. Note: federal law does not define Medical Cannabis as having a currently accepted medical use. However, employees and other covered individuals are expected to present themselves in a manner fit to perform the functions of their job. Additionally, during the workday, any use of a controlled substance inconsistent with the criteria set forth above is strictly prohibited. Any individual who is found to have violated this section of the policy will be dealt with as appropriate. This may include removal from the worksite and/or discipline up to and including termination. For student employees, this may also include appropriate action pursuant to the Code of Student Conduct.

- c) Safety Sensitive Functions: Notwithstanding subparagraphs (a) and (b) above, consumption of alcohol either at College-sponsored events or during a traditional meal break is prohibited for individuals whose positions include one or more safety-sensitive components as described in this Policy. Additionally, consumption of a controlled substance may not be permitted, even when consumption is consistent with the criteria of subparagraph (b) above. Individuals who have taken a controlled substance, or who must take a controlled substance during the course of the workday, must report this information to their supervisor. Any individual who exhibits the effects of having consumed alcohol or a controlled substance, whether before or during the workday, will be dealt with as appropriate, including removal from the worksite and/or discipline up to and including termination. For student employees, this may also include appropriate action pursuant to the Code of Student Conduct.

## 9. Drug Testing

Employees who are required to have a Commercial Drivers License ("CDL") to perform their job duties are required to undergo drug and/or alcohol testing upon hire as a commercial driver, when randomly chosen, for due cause or reasonable suspicion following certain motor vehicle accidents, or as ordered by a Substance Abuse Professional hired by the College.

## 10. Responsibilities of Supervisors

- a. Supervisors are expected to communicate to employees that there are support services available to employees who may need medical and/or therapeutic treatment for the abuse of alcohol or other drugs. If an employee serves in a safety sensitive function, then the supervisor must clearly state that the employee cannot be under the influence of alcohol and/or other drugs while performing his or her job duties.
- b. If a supervisor is suspicious that there is an alcohol or other drug problem with an employee and that the problem is affecting work performance, it is a supervisor's responsibility to address the situation. When a supervisor suspects that an employee is under the influence of or impaired by a controlled substance that supervisor will, if possible, notify Human Resources. Early recognition of a problem and a prompt response by a supervisor are preferred. Possible behavioral indicators of alcohol or drug related problems may include, but are not limited to, those shown below:

- Drowsiness or sleepiness
- Alcohol or drug odors on the breath
- Slurred or incoherent speech
- Confusion
- Unusually aggressive behavior
- Unexplained mood changes
- Lack of manual dexterity
- Lack of coordination (e.g., staggering, inability to walk)
- Unexplained work related accidents or injuries
- Excessive sloppiness
- Leaving work areas for extended periods or for unexplained reasons
- Patterns of absenteeism or tardiness
- Corroborating evidence
- It should be noted that some of these symptoms may be indicative of a serious medical condition. If the supervisor believes that the employee requires urgent medical attention, the supervisor should call the appropriate campus Police Department.

c. A supervisor who reasonably believes that an employee is exhibiting behavior that may be in violation of expectations as indicated herein, or that an employee may be unfit to perform the duties of his or her position, should contact the appropriate College affiliated health department to request a fitness-for-duty evaluation. After a discussion with the appropriate College affiliated health department, the employee should be escorted or otherwise safely transported to the appropriate medical facility. If the appropriate College affiliated health department determines that an employee is unfit to perform the duties of his or her position following an evaluation, the employee may be subject to removal from the worksite and/or discipline up to and including termination. If an employee is covered by a collective bargaining agreement, said employee shall, upon request, be afforded the opportunity to have a union representative present during questioning by a supervisor or manager, or during initial intake discussions with staff of the appropriate College health department.

d. If an employee reasonably believes that his or her supervisor is engaging in behavior that suggests the influence of alcohol or other drugs because the supervisor is demonstrating behavior as described herein, the employee should report the behavior.

e. A supervisor who reasonably believes that a student employee is exhibiting behavior that may be in violation of responsibilities should contact Human Resources to request a fitness-for-duty evaluation as indicated herein. A student employee should then be escorted or otherwise safely transported to the College Security Department, or other appropriate Department, for evaluation.

f. If the College Security Department, or other appropriate Department, determines that the student employee has violated the Paragraph above or is unfit to perform the duties of his or her position following an evaluation, the student employee may be subject to removal from the worksite and/or discipline up to and including termination.

- g. The supervisor may also refer the student employee to the student counseling center for additional help.
- h. The supervisor determines if discipline is necessary per departmental expectations for student employees. The supervisor may also choose to file an official complaint through the Code of Student Conduct.

## 11. Alcohol at Campus Events

- a. The use of alcoholic beverages at social functions on the College campuses is restricted to those functions open to members of sponsoring departments/organizations and their invited guests where service of alcohol is restricted to those of legal drinking age as defined by the laws of New Jersey. Such functions must be restricted to areas designated by the dean, chancellor, and/or vice president. In all cases, State laws governing the dispensing of alcoholic beverages must be observed.
- b. Per Circular, State of New Jersey, Department of the Treasury, Office of Management and Budget, No.: 06-14-OMB, departmentally-allocated State funds may not be used for the purpose of purchasing alcoholic beverages.
- c. As a further guide to the responsible use of alcohol, sponsoring departments are urged to observe the following practices when alcoholic beverages are served:
  - i. Provide an equal quantity of nonalcoholic beverages at the same place in an equally attractive variety.
  - ii. Provide food in sufficient quantity for the number of people present.
  - iii. Discontinue the sale or service of alcohol for a reasonable period prior to the anticipated end of the event.
  - iv. Note the availability of nonalcoholic beverages and food in any advertisement.
  - v. Provide for oversight by persons who have a demonstratable awareness of these regulations and the techniques to reduce risk and/or those who are so trained through the College.
  - vi. Designate at least one person to be responsible for ensuring adherence to these guidelines in any group where alcoholic beverages are served.
  - vii. Have an adequate mechanism in place to properly identify of-age drinkers, including verification of picture identification.
- d. In instances where an employee serves alcohol in his or her capacity as an employee of the College in a facility or an area not under the jurisdiction of the College, the employee providing alcohol should be cognizant of those participating in the event who may not choose to use alcohol. When evaluating the location of such events, the employee coordinating the event should consider the personal needs of the individuals participating and whether they may be in recovery. In planning such events, the employee should follow the guidelines stated above.

## 12. Exceptions:

Exceptions to any provision within this Policy may be granted only by the Director of Human Resources or his or her designee.

Approved: 11/02/92  
Revised: 05/09/07  
Revised: 02/14/18  
Revised: 06/22/24

## **514. REPORTING CRIMINAL ACTS AND OTHER EMERGENCIES ON CAMPUS**

The Office of Campus Operations shall be primarily responsible for carrying out the mandates of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Campus Operations will develop procedures to implement these requirements. This includes the annual reporting of campus crime statistics and disseminating this information to the campus community.

In addition to its annual reporting responsibilities for compliance with the Clery Act, the College shall report to the Board of Trustees as soon as practicable any significant on-campus criminal act, including the occurrence of on-campus murder, criminal sexual assault, criminal sexual abuse, robbery, aggravated assault, aggravated battery, burglary, motor theft, and liquor law violations, drug abuse violations, weapons possessions and other emergencies occurring on the campus considered to be a threat to the safety of students and employees.

Timely reporting of violent or serious criminal offenses shall be made to students and employees after such occurrences. The type and nature of the report and the method of disseminating the information shall be determined by Campus Operations. The College also is responsible for periodically reviewing its security preparation and planning efforts to promote a safe environment for the campus community.

The College shall provide appropriate and reasonable support services and resources to crime victims and the victim's family.

If a perpetrator of a violent crime is subject to discipline by the College, the victim of the offense shall, at the discretion of the Dean of Administration, be permitted to obtain the results of that disciplinary proceeding.

Definitions of students and employees:

"Student" is any person enrolled in one or more courses of study for academic credit or non-credit vocational courses.

"Employee" is defined as a part-time or full-time person with scheduled hours of employment on campus under the direction and control of the institution and its agents.

## **514.1 INFORMING STUDENTS AND EMPLOYEES ABOUT CAMPUS SECURITY PROCEDURES AND PRACTICES**

The Office of Campus Operations shall inform students and employees about campus security measures to encourage all persons to be concerned about a secure campus environment and to be aware of security concerns on the campus.

Campus Operations shall develop information about campus security procedures for students and employees and distribute this information through the College's website. Security presentations will be conducted as appropriate.

Campus Operations shall work with the Dean of Students and the Director of Human Services to develop safety programs and initiatives for the campus community.

Campus Operations shall also work with local law enforcement officials to secure appropriate written materials and present programs to implement this responsibility. Campus Operations shall also work with the local community to undertake safety drills and tabletop exercises supporting campus safety procedures.

## **514.2 INCIDENTS ON CAMPUS**

The Office of Campus Operations shall maintain logs and incident reports concerning activities reported to Campus Security. Such incident reports shall be made available to campus community members or the public upon request.

Issues that rise to the level of federal reporting shall be included in the College's Annual Security Report (Clery Report). The US Department of Education establishes definitions for such reporting.

Any circumstance that warrants the summoning of a first responder(s) onto campus (including police, fire, and/or medical personnel) shall require a written incident report filed by the Director of Campus Security and copied to the President of the College. The President shall determine whether such information should be forwarded to the Board of Trustees or any local officials.

## **514.3 GATHERING STATISTICS CONCERNING CRIME ON CAMPUS**

The Office of Campus Operations shall be responsible for gathering statistics concerning the occurrence of crime on campus, which have been reported to campus security authorities and local police agencies.

Statistics shall be compiled by the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Act requires colleges to compile an annual

report to ensure that students and the higher education community are made aware of the presence of crime on campus.

The statistical data gathered shall relate to all reported crimes occurring on any WCCC property, any non-campus buildings or property owned by the college, or any public property within or adjacent to the campus.

The resulting data shall reflect the incidents reported to the WCCC Security Office, the Local Police Department, Campus Security Authorities, and other campus personnel. The statistics obtained from the Local Police Departments shall be compared with the data gathered by the college. The resulting figures will then be used to prepare the Annual Security Report.

Under the Clery Act, colleges are required to publish specific crime statistics. These statistics cover the period from January 1 through December 31 for the respective years. The crime statistics shall be reported to the U. S. Department of Education by October 1 of each year.

Once the Clery report is filed, it will be published on the College's website and the public bulletin boards. In addition, the College's Annual Security Report shall be made available on the College's website. Copies of this report will be made available in the Office of Campus Operations for those who desire a printed copy. The annual security report shall be available in the Office of Campus Operations for full distribution to current and prospective students.

Approved: 11/02/92  
Revised: 05/09/07  
Revised: 06/24/15  
Revised: 05/21/16  
Revised: 12/13/23

## **514.5. MISSING PERSON POLICY**

Under the Higher Education Opportunity Act of 2008, all Colleges must have policies and procedures for handling missing students and persons.

### **2. DEFINITION**

A missing student means any student of an institution who resides in a facility owned or operated by such institution and who is reported to such institution as missing from their residence. Warren County Community College does not hold or operate resident facilities. As such, this policy refers to a situation where a College community member seeks to report a missing person to the College for investigative purposes.

### **3. PROCEDURES**

Anyone seeking to report a missing person should be directed to the Coordinator of Public Safety.

Once a missing person is reported, the Coordinator of Public Safety will undertake the following:

- A. Obtain information regarding the identity of the student or individual presumed missing, the person reporting the incident, the relationship of the person reporting the incident, and the circumstances that caused the reporting person to file the report.
- B. Document such information in a College incident report.
- C. As appropriate, inquire with other officials at the College regarding the presumed missing person.
- D. Advise the reporting person that missing person reports must be filed with the law enforcement agency having jurisdiction where the student resides.
- E. Contact the law enforcement agency where the individual resides and advise them of the missing person report made to the College.
- F. Should the Coordinator of Public Safety believe that the missing individual may be in imminent threat of danger or the person is considered to have been last seen on the Warren County Community College campus, the Coordinator of Public Safety will contact the appropriate police agency and turn the issue over to their jurisdiction.

#### **4. FERPA COMPLIANCE**

Information sharing with police on missing persons will follow guidelines established under the federal Family Educational Rights and Privacy Act.

#### **5. COMMUNICATIONS**

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media designed to elicit public assistance in searching for a missing person. Therefore, outside law enforcement will handle all communications regarding missing students.

Approved: 5/20/09

Revised: 12/20/17

Revised: 12/13/23

#### **514.6 WEAPONS POLICY**

Warren County Community College prohibits the use or possession of any weapons as defined in N.J.S.A. 2C:39-1 in all campus buildings on all College properties and at all College sponsored events. The prohibition of the use and possession of weapons as defined below applies to students, employees, independent contractors and visitors/members of the public, including those who have a valid permit to carry a concealed

weapon. Violators of this policy may be removed from campus, arrested, expelled, suspended, placed on probation or given a lesser sanction for good cause consistent with due process. Individuals shall be held accountable through the criminal justice system and/or the College judiciary process. Prohibition may not apply to authorized law enforcement personnel pursuant to N.J.S.A. 2C:39-6, if an exemption applies to carry a weapon on campus.

All state and federal statutes and local ordinances regarding the possession of firearms and weapons, including imitation firearms, both legal and illegal apply on all College property and at College-sponsored events and any applicable statutes, laws, regulations and ordinances are hereby incorporated by reference as if set forth here at length. Under New Jersey statute weapons mean, "anything readily capable of lethal use or of inflicting serious bodily injury." The term includes, but is not limited to: air guns, spring guns or pistols or weapons of a similar nature in which the propelling force is from an elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air or ignited by compressed air and ejecting a bullet or missile, knives, clubs, night sticks, metal knuckles, firearm silencers, armor piercing ammunition, zip guns, chemical substances, i.e. pepper spray over 3/4 oz. (See N.J.S.A.2C:39-6(i) setting out permissible conditions for carrying chemical substances for personal self-defense.)

In accordance with state statute N.J.S.A 2C: 39-5(e)(1), any person who knowingly has in his/her possession any firearm in or upon any part of the buildings and grounds of any college or university, without authorization of the governing officer of the institution is guilty of a crime of the third degree, regardless of whether or not possesses a valid permit to carry the firearm or a valid firearms purchaser identification card.

Please see Campus Operations or Campus Security for more details regarding the College's weapons policy.

Approved: 06/18/14  
Reaffirmed: 02/13/19

## **514.7        EMERGENCY NOTIFICATION SYSTEM**

Warren County Community College has contracted with Rave Alert to provide emergency notification to students. This is a self-enrollment system that permits students and employees to receive text and e-mail alerts. The instructions for this system are as follows:

1. Go to [www.getrave.com/login/warren](http://www.getrave.com/login/warren).
2. Enter the requested information and agree to the terms of use.

Note: If you are prompted to go to your email, please do so and select the link there to continue the registration process.

3. During registration for mobile phone updates, you will be asked to enter a 4-digit confirmation code that was sent to your phone via text message. Please enter the 4-digit code in the website to complete your phone registration.

### **Points of Contact**

Warnings will be issued to the Campus Community through any or all of the means listed below:

- Campus wide e-mail system;
- Text message;

- Notification on the WCCC website

### **When the system will be used**

- An impending emergency situation
- An actual emergency situation
- Updates regarding a current emergency situation
- School closures due to weather or other circumstances

### **Timely Warnings**

In the event that a situation arises, either on or off campus, that in the judgment of the Campus Safety Office and/or Campus Operations, constitutes an ongoing or continuing threat, a campus wide Campus Safety Alert (timely warning) will be issued. The Campus Safety Alert will be issued through the College's email system to students, faculty and staff. The information will also be posted on the WCCC website. The Campus Safety Alert will include information to promote safety and help aid in the prevention of similar crimes. In addition, it will include information about the crime that triggered the warning, including the nature of crime, any suspect information and location of the incident.

### **Emergency Notifications**

The Campus Safety Office and Campus Operations is authorized to send emergency notifications through the selected contracted vendor (Rave Alert) to the WCCC Community if it is determined that there is an emergency or dangerous situation that poses an ***immediate threat*** to the health or safety of some or all members of the WCCC Community. Situations that may warrant an emergency notification include, but are not limited to:

- An emergency incident in progress; active shooters, bomb threats, civil unrest, and evacuations
- Potential impending emergency incidents such as tornado warnings and other serious weather events
- Safety messages regarding suspicious persons, area or school closures, crimes against person where the suspect is not apprehended
- Termination messages including all clears, status updates or re-opening of campus or buildings

The Campus Safety Office or Campus Operations shall without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Washington or Phillipsburg Township Police Departments, and/or the Washington or Phillipsburg Township Fire Departments), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Before sending a message, the incident must be confirmed through one or more of the following methods:

1. Confirmation of an emergency in progress is subject to:
  - a. Confirmation of the incident by an emergency responder in the area

- b. Visual confirmation via CCTV systems
  - c. Audible confirmation either in person or via telephone systems
  - d. Three (3) unique reports of the incident from members of the public or College community
2. Confirmation of an impending emergency is subject to confirmation of the incident by an emergency responder or relevant agency

The system will be tested during the Fall and Spring semesters. Users opt in to receive text messages, but all WCCC Community members will receive the notification via email. WCCC community members can sign up to receive messages through Rave Alert. For additional information visit: [www.getrave.com/login/warren](http://www.getrave.com/login/warren)

Approved: 11/10/15  
Reaffirmed: 02/13/19

## **514.8 EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### **Emergency Management at WCCC**

The Campus Security Office and Campus Operations are responsible for the Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency;
- Coordination with college departments to write, maintain, test, and exercise the EOP; and
- Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their EOPs.

The College's Emergency Operations Plan is reviewed on an annual basis for updates. This plan is distributed to all offices on campus.

There are four goals of the EOP:

1. Preparedness: Planning for an emergency or disaster event;
2. Response: The planned response to an emergency or disaster event;
3. Recovery: The process of returning to normal operations; and
4. Mitigation: Steps taken to prevent the effects of an emergency or disaster itself.  
A hazard mitigation plan has also been written.

### **Drills, Exercises and Training**

Annually, the College conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year to year, and include several departments from across the county.

To ensure the College's emergency management plans remain current and workable, the College will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. Following all drills and exercises a report, post exercise improvement plan, or corrective action plan is completed documenting the details and outcomes of the exercise.

In case of an emergency or a life-threatening situation, a decision to evacuate the building will be made by the College. Once the order is given to evacuate, staff and visitors will exit the building according to the posted instructions in the area. In the event of the activation of the fire alarm, the building would be evacuated IMMEDIATELY. Activation of the fire alarm also results in the notification of 911.

The Dean of Campus Administration and the Director of Campus Safety will be responsible for coordinating the safe evacuation of the building. Facilities staff also will assist in this process.

### **Evacuation Routes**

When a Campus building is evacuated, individuals will assemble as follows:

#### **Main Campus:**

- All personnel who exit from the front of the building should proceed across the main access driveway into the main parking lot.
- All personnel who exit from the rear of the main campus building should proceed around the building, across the grass to the sidewalk and continue west to the Warren County Communications Center driveway.
- All personnel who exit from the rear of the annex addition should proceed to the left in the direction of the administrative parking lot.

#### **Philipsburg Site:**

- Evacuation routes are published in each classroom.
- All personnel who exit through the main front door, handicapped entrance or door leading off of the dock should cross Marshall Street and reassemble in the parking lot.

Approved: 11/10/15  
Revised: 02/13/19

## **514.9 PROCEDURES FOR DESIGNATING AND TRAINING CAMPUS SECURITY AUTHORITIES**

The purpose of this Policy is to establish a process by which the Warren County Community College designates and trains Campus Security Authorities (“CSAs”) in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) (the “Clery Act”) and its implementing regulations. It is the policy of the College to comply with the Clery Act through the proper designation and training of CSAs, as that term is defined in the Clery Act and related regulations.

### **Definitions:**

**“Campus Security Authority”** (“CSA”) is defined. CSAs are individuals at the College who, because of their function for the College, have an obligation under the *Clery Act* to notify the College of alleged Clery Crimes that are reported to them in good faith, or alleged Clery Crimes that they may personally witness.

“Clery Crimes” are defined by the Clery Act as any of the following:

- Criminal Homicide
- Aggravated Assault
- Sex Offense (rape, fondling, incest, statutory rape)
- Burglary
- Robbery
- Motor Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking

Hate Crimes, including:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property that are motivated by bias

Arrests and referrals for disciplinary action for any of the following:

- Liquor Law Violations
- Drug Law Violations
- Carrying and possessing illegal weapons

**“Clery Geography”** includes the College’s campuses, public property within or immediately adjacent to its campuses, and non-campus buildings or property that the College owns, leases or controls. The College’s Clery Geography is outlined on a map maintained by the College’s Campus Operations Office.

### **Procedure for Designating and Training CSAs**

#### **A. Employee and Non-Employee/Volunteer CSAs**

Each employee and non-employee/volunteer CSA shall complete training with respect to the Clery Act, the College's Clery Act compliance policies and procedures, and the responsibilities of a CSA ("CSA Training"). CSA Training shall educate CSAs about the history of the Clery Act, Clery Crimes, Clery Geography, when and how to report allegations of Clery Crimes, and the College's timely warning and emergency notification processes. CSA Training shall include a self-test, which a CSA must pass with a score of 80% to earn a Certificate of Completion.

With respect to employee CSAs, the College's Human Resources Director and/or the Campus Safety Coordinator ("Compliance Manager") shall be responsible for designating CSAs. Human Resources shall make these designations as soon as practicable after the hiring of an employee or a change in an employee's job functions. Human Resources should consult with the College's Compliance Manager if unsure whether to designate a particular individual as a CSA.

The Human Resources Director is also responsible for monitoring and notifying CSAs of their obligation to complete CSA Training (as defined and more fully described below) annually. The College Compliance Manager shall provide oversight of and assistance to Human Resources Director as necessary in ensuring compliance.

### **B. Student Organization Advisor CSAs**

By January 31 of each year, each student organization recognized by Student Services shall provide Student Services with the name of the organization's advisor. If an organization's advisor changes, the organization must notify Student Services of the change as soon as practicable. Student Services will be responsible for providing this information to the Compliance Manager. The Compliance Manager will designate such individuals as CSAs. Student Services will make CSA training available to each designated student organization advisor.

Approved: 11/10/15  
Reaffirmed: 12/18/19

### **515. EMERGENCY ACTION PLAN**

The College will develop and maintain an Emergency Operation Plan (EOP) to be utilized as a basic guide to effectuate the College's response to ensure minimal loss of life and property in the event of an emergency. The EOP will be reviewed annually and updated as frequently as necessary.

Approved: 07/25/03  
Revised: 12/20/17  
Reaffirmed: 03/14/24

### **516. POST ISSUANCE COMPLIANCE POLICIES FOR BOND FUNDS**

Post-Issuance Compliance Policies and Procedures of Warren County Community College Related to Certain Bonds Issued by the New Jersey Educational Facilities Authority Pursuant to Financing Programs for Institutions of Higher Education Sponsored by the State of New Jersey

## Purpose

The Secretary of Higher Education of the State of New Jersey (the "Secretary") has awarded **Warren County Community College** (the "Institution") funds for projects or equipment leases pursuant to one or more of the following programs: Higher Education Capital Improvement Fund Act, N.J.S.A. 18A:72A-72 et seq. ("CIF"); the Higher Education Equipment Leasing Fund Act, N.J.S.A. 18A:72A-40 et seq. ("ELF"); the Higher Education Technology Infrastructure Fund Act, N.J.S.A. 18A:72A-59 et seq. ("HETI"); and the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT" and together with CIF, ELF and HETI, the "State-Backed Programs"). The funds for projects or equipment leases awarded pursuant to these State-Backed Programs are referred to herein collectively as "Grants". The Grants are disbursed to the institutions of higher education ("Grantees") from proceeds of tax-exempt bonds (the "State-Backed Bonds") issued by the New Jersey Educational Facilities Authority (the "Authority" or "NJEFA") pursuant to the applicable State-Backed Programs. The debt service on these State-Backed Bonds is payable by the State of New Jersey (the "State") subject to appropriation by the New Jersey Legislature. A Grantee that receives funds pursuant to the CIF or ELF Programs is required to reimburse the State for a portion of the debt service paid by the State on the CIF Bonds or ELF Bonds. However, Grantees that receive funds pursuant to the HETI or HEFT Programs have no obligation to reimburse the State for any debt service on HETI Bonds or HEFT Bonds.

- 1) Because the State-Backed Bonds are issued as tax-exempt bonds, the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and regulations adopted thereunder (collectively, "Federal Tax Law Requirements") must be satisfied during the term of the State-Backed Bonds by each Grantee in order for the tax-exempt status of such State-Backed Bonds to be maintained. As a Grantee that has received proceeds of State-Backed Bonds, the Institution understands that it has an obligation to comply with these Federal Tax Law Requirements throughout the term of any State-Backed Bonds, which may be longer than the term of a Grant. Pursuant to a Grant or Lease Agreement with the Authority, the Institution has agreed to adopt these Post-Issuance Compliance Policies and Procedures (the "Policy") in order to assist it in fulfilling its obligations to comply with Federal Tax Law Requirements applicable to the State-Backed Bonds. The Institution recognizes that this compliance is an ongoing process, and that analysis of information and implementation of this Policy will require annual or more frequent monitoring and likely ongoing consultation with NJEFA and its bond counsel. Further policies and procedures may be identified from time to time by NJEFA with respect to outstanding or future State-Backed Bonds from which this Institution receives a Grant and the Institution will take all necessary steps to ensure compliance with such policies and procedures.

## Policy Sections

### 516.1      Organizational Responsibility

The **Vice President of Finance and Operations** the ("Compliance Officer") has primary responsibility for post-issuance tax compliance to ensure and monitor post-issuance matters with respect to State-Backed Bonds.

The Compliance Officer has overall responsibility for carrying out all aspects of this Policy including providing information and training on implementing post-issuance compliance policies, tracking expenditures, allocating sources of funding for a particular project between

Grants funded from State-Backed Bond proceeds and other sources of money, identifying and monitoring private use and reviewing rebate reports, if requested by the Authority, and keeping adequate records to support all of the foregoing. The Compliance Officer may delegate specific responsibilities to other officers, employees and agents of this Institution as designated in this Policy and as may be modified or supplemented in the future.

The **Business Office** shall: separately track utilization of Grant proceeds and other sources of funding (i.e., other bonds, equity, other grants, contributions, etc.) for each project financed by each issue of State-Backed Bonds; prepare and review requisitions to assure that proceeds are expended on projects as approved by the Secretary and authorized in the applicable bond documents and requisitions; and confirm that reimbursement of pre-issuance costs are permissible and submit reviewed requisitions to the NJEFA. The **Business Office** shall also determine when projects financed by Grants are completed and/or placed in service and advise the Authority that such events have occurred. The **Business Office** will consult with the Compliance Officer if questions arise relating to the foregoing matters.

## **516.2 Tracking Expenditures and Use of Bond-Financed Facilities**

The Institution's **Business Office** shall maintain records regarding the use and allocation of Grants funded from State-Backed Bonds proceeds and other sources for Grant-financed facilities. Such records shall be maintained with respect to each series of State-Backed Bonds. The Authority's Accounting Department shall maintain copies of approved requisitions and copies of invoices. Requisitions submitted to the Authority must be accompanied by copies of invoices for Contractor/Architect/Engineering bills and any other items over \$10,000 before being approved.

The **Business Office** will monitor the application and use of Grants on an ongoing basis and inform the Authority of events relating to use of bond proceeds and financed facilities, which may result in private business use or other tax issues, and that must be analyzed for compliance with Federal Tax Law Requirements. The **Business Office** and **Campus Operations** will work together to identify square footage or other measurements of private business use of financed facilities. The Institution will comply with the covenants and representations relating to the Grants and the State-Backed Bonds in the applicable bond documents and will cooperate with the Authority in obtaining necessary information, keeping records, seeking advice from bond counsel and undertaking any remediation, if necessary.

At least once every twelve months, the Authority is expected to send a certification to the Institution regarding application and use of Grants and other matters and the Compliance Officer will coordinate with assigned individuals at the Institution to provide updated information about the use of the financed facilities and other matters and complete and return the certification and any supporting documentation (the "Annual Review Process"). The Institution will provide an annual certification to the Authority regardless of receipt of a form thereof from the Authority. The Compliance Officer will work with the Authority and/or bond counsel, if necessary, to assist in making a final allocation of expenditures for a Grant-financed project when required under the Code and applicable regulations.

### **516.3 Private Business Use and Private Payments**

The Institution's **Business Office** will monitor private business use of bond-financed property and any private payments.

State-Backed Bonds may lose tax-exempt status if private business use of bond proceeds and "private business payments" securing such State-Backed Bonds exceed certain percentages which are described in the Tax Certificates signed by the Institution in connection with the issuance of the State-Backed Bonds. Unless approved in advance by the Authority, no private business use of the property financed by the Grants is permitted. The anticipated amount of private business use of a particular series of State-Backed Bonds is anticipated to be known at the time the State-Backed Bonds are issued. Any increase in private business use of Grant financed facilities by any Grantee must be analyzed for the applicable State-Backed Bond issue as a whole. Therefore, the Institution and each other Grantee must obtain permission from the Authority to increase any private business use of its Grant financed facilities, in order to assure that tax-exemption for the issue of State-Backed Bonds as a whole is preserved. The Institution will monitor and report the use of Grant-financed facilities as part the Annual Review Process. The Institution understands that failure to obtain such permission may result in loss of tax-exempt status of the State-Backed Bonds and that it will be responsible to the Authority if its actions cause such treatment.

Special legal entitlements to property financed with State-Backed Bonds can give rise to private business use. Special legal entitlements include leases of financed property, management contracts, sponsored research agreements, naming rights, licenses of facilities for use by cell phone service providers, energy providers and the like. Typical examples of private business use in a college setting often include food service contracts, bookstore contracts, privately sponsored research and camp programs if they do not meet certain safe-harbors set out in IRS Revenue Procedures 97-13 and 2007-47, or exceptions in IRS regulations for short term and incidental use arrangements.

Since the HETI and HEFT Programs require (and expect) no payments by the Institution, it is not anticipated that the private business payment test will be met for such bonds, but the Authority has requested the Institution to monitor private business use.

As required in the Authority's bond documents and policies, the Institution will report and certify to the Authority at least annually with respect to the use of Grant-financed facilities, any additions or changes that may have occurred and cooperate with the Authority in determining whether an event has occurred that might adversely affect the tax-exempt status of the State-Backed Bonds and in taking appropriate remedial action.

### **516.4 Record Retention**

Authority Grant and other bond documents require the Institution to maintain all relevant records relating to State-Backed Bonds. The Authority will also retain documents it receives directly from the Institution or third parties. These documents include closing transcripts, agreements, including investment agreements, to which the Authority is a party, bank

statements, rebate reports and requisitions. Both the Institution and the Authority shall maintain records for the length of time required to comply with IRS regulations. Currently, records of issuance and related post-issuance compliance documentation must be maintained for the life of the bond issue, including any refunding issue, plus three years.

Basic records relating to State-Backed Bonds include the transcript as well as documentation evidencing the:

- Expenditures and requisitions;
- Investment of bond proceeds;
- Use of Grant-financed property; and
- Sources of payment or security for the State-Backed Bonds.

The Authority will rely on the Institution for specific records relating to application of bond proceeds and use of projects and/or equipment financed by Grants received by the Institution.

#### **516.5 Arbitrage and Rebate**

State-Backed Bonds will lose their tax-exempt status if they are classified as “arbitrage bonds.” In general, arbitrage is earned when the gross proceeds of a bond issue are used to acquire investments that earn a yield that is “materially higher” than the yield on the bonds issued or if funds are held or received by the Institution for the project or for debt service that are invested higher than such yield. The Code contains two separate sets of requirements that must be complied with to ensure that State-Backed Bonds are not arbitrage bonds. They are:

- Yield Restriction requirements, which generally provide that in the absence of an applicable exception, bond proceeds may not be invested at a yield in excess of the bond yield; and
- Rebate requirements, which generally provide that when arbitrage is earned on an issue in excess of permitted amounts, unless an exception is met, the excess earnings must be paid to the U.S. Department of Treasury, even if an exception to the yield restriction requirements applies.

The NJEFA will engage the services of an Arbitrage Compliance Servicer, as necessary, to provide written reports to assist the Authority and the State Treasurer in monitoring yield on investments and calculating any rebate that may be due. The Institution will cooperate with the NJEFA and the Arbitrage Compliance Servicer to the extent necessary in order for the Arbitrage Compliance Servicer's calculations to be correct. If the Arbitrage Compliance Servicer provides a written report, it will be provided to the Authority and the State Treasurer and the Institution, to the extent necessary, to permit the Institution to comply with tax or other reporting requirements.

#### **516.6 Continuity and Training**

The Compliance Officer and those to whom he or she has delegated responsibilities will receive periodic training regarding the tax and other requirements applicable to State-Backed Bonds. Such training will cover the purposes and importance of these procedures.

To provide for continuity of compliance with post-issuance tax requirements, the Institution will periodically consult with the Authority to determine whether this Policy should be modified to reflect changes relating to outstanding State-Backed Bonds and any changes necessitated if the Authority issues additional State-Backed Bonds.

#### **516.7      Remedial Action**

Authority bond documents require that the Institution notify the Authority of events which may affect the permissible use and allocation of State-Backed Bond proceeds and to cooperate with the Authority in seeking remedial action with respect to such events. The Compliance Officer is responsible for notifying the Authority of such events and cooperate with the Authority or other issuers (as applicable) in seeking remedial action pursuant to Treasury Regulation §1.141-12, §1.145-2 or seeking a closing agreement with the IRS under its Voluntary Closing Agreement Program(VCAP).

Approved: 04/23/14  
Reaffirmed: 05/18/19

## **CHAPTER VI: PUBLIC RELATIONS POLICIES (600)**

### **601. COMMUNICATION**

Through a variety of programs, sponsorship and activities, the College will interact with the Warren County community for the purpose of communicating with county residents and organizations and articulating the various College programs to the entire community.

Approved: 03/25/83

Revised: 12/07/05

Reaffirmed: 04/18/18

Reaffirmed: 03/14/24

### **602. PUBLIC RELATIONS EVENT PLAN/SCHEDULE**

Annually a public relations event schedule will be developed by the Office of Advancement and reviewed annually with the President. This schedule will be designed to ensure the president and board members are provided ample opportunities annually to advocate on behalf for Warren County Community College.

Approved: 03/25/83

Revised: 12/07/05

Revised: 04/18/18

### **603. COLLEGE PUBLICATIONS**

Appropriate college publications will be developed and published to maintain communication with college students, employees, Trustees, and alumni; prospective students; the general public; and the media.

Approved: 03/25/83

Revised: 12/07/05

Reaffirmed: 04/18/18

Reaffirmed: 03/14/24

### **604. ACCESS TO PUBLIC RECORDS**

Warren County Community College will make its records available in accordance with the State of New Jersey's Open Public Records Act (OPRA) (N.J.S.A. 47:1A-1 et. seq.).

In order to effectively implement the OPRA requirements, the Board designates the Purchasing Manager to be the Custodian of Records. In the absence of the Purchasing, the Vice President of Finance and Operations will act as the Custodian of Records.

In addition, the Board directs the College to:

- a) Develop a form to allow members of the public to request information in accordance with OPRA guidelines.
- b) Place the College's OPRA information, form and instructions on the College's website.
- c) Report to the Board each February about the number and type of OPRA requests received by the College in the prior year and the disposition of these requests.
- d) Amend any procedural requirements in accordance with regulatory or statutory changes..

Approved: 08/10/05

Revised: 09/14/22

Revised 12/18/2024

## **605                    COLLEGE PHOTO USE POLICY**

Warren County Community College has the opportunity to photograph, videotape, and/or digitally capture our students, employees, trustees and visitors in a variety of college-related activities (i.e. academic and student recognition programs). These images may be used in official college communications and marketing materials such as the WCCC website, course catalog, local newspapers and college social media sites.

The College respects the privacy of our community and requires consent and release forms signed by those individuals appearing in "official" planned college marketing communications. In cases where the individual is under the age of 18, parental/guardian consent is required. Signatories of the consent forms agree to release and hold harmless the College from any and all claims, damages, action, liability, and expense in connection with the use of the College's published image of an individual by any third party not expressly approved by the Board.

The College cannot control images taken in the public space or at events, such as graduation, Board Meetings, or other public events where the media may be in attendance. When WCCC personnel are aware, every effort will be made to alert students in advance that their images could become part of the public record.

Approved: 04/18/18