



# The College of New Jersey

Section:	VIII.1.1
Title:	Policy Framework
Effective Date:	December 8, 2009
Approved By:	Board of Trustees
Responsible Unit:	Office of General Counsel, <a href="mailto:ogc@tcnj.edu">ogc@tcnj.edu</a>
History:	Revised July 9, 2013 Approved December 8, 2009
<p>Related Documents:</p> <ol style="list-style-type: none"> <li>1. N.J.S.A. 18A:64-6c - describes the powers and duties of the Board of Trustees to "determine policies for the organization, administration and development of the college."</li> <li>2. N.J.S.A. 18A:64-6m - describes the powers and duties of the Board of Trustees to "adopt, after consultation with the president and faculty, bylaws and make and promulgate such rules, regulations and orders...that are necessary and proper for the administration and operation of the college and the carrying out of its purposes."</li> <li>3. N.J.S.A. 18A:64-8 - describes the powers and duties of the President "for the execution and enforcement of the bylaws, rules, regulations and orders governing the management, conduct and administration of the college."</li> <li>4. The College of New Jersey Board of Trustees Bylaws</li> <li>5. TCNJ Governance Structure and Processes (On-line Policy Manual Section II.1.5, 2011) - describes the internal shared governance process approved by the Board of Trustees.</li> </ol>	

## I. INTRODUCTION

The purpose of this policy is to define a policy framework for The College of New Jersey.

The TCNJ Governance Structure and Processes (the “Governance Policy”) has been approved by the Board of Trustees. The Governance Policy allows designated stakeholder groups to work cooperatively to assist the administration in identifying areas of operation that are in need of new or revised policy or procedures, to recommend to the administration appropriate policies and procedures and participate in the development of those policies and procedures, and to make recommendations to the administration on issues related to policy in support of the mission of the College.

## II. DEFINITIONS

1. Board of Trustees Policies - Board of Trustees Policies are issued by the Board in accordance with applicable New Jersey law and the Bylaws of the Board. They include policies that relate to the organization, administration, and development of the College as a whole and overarching rules, regulations and orders issued by the Board that are necessary and proper for the administration and operation of the College. They establish fundamental principles as a basis and guide for mandating or constraining action by College administrators, employees, students, and other members of the College community.
2. College Operating Policies - College Operating Policies are issued by the President for the executive management and conduct of the College in all Units and for the execution and enforcement of the Bylaws, rules, regulations and orders governing the management, conduct and administration of the College in accordance with applicable law and consistent with Board of Trustees Policies and delegations of authority.
3. Interim Policies - Interim Policies may be issued by the Board of Trustees (Interim Board of Trustees Policies), the President (Interim College Operating Policies), or other College officers or administrators (Interim Unit Policies) only in extraordinary situations where a policy must be established in a short time period to meet legal or regulatory requirements, emergency deadlines or in other special circumstances. Generally, an Interim Policy is a policy concerning subject matter that would, prior to issuance, normally require the regular process of policy development and review pursuant to the Governance Policy (the "Governance Review Process") that is issued prior to the completion of the Governance Review Process. The General Counsel shall notify the Steering Committee of any proposed Board of Trustees Policy or College Operating Policy whose subject matter would not in the determination of the responsible unit require the Governance Review Process. In the event that the Steering Committee believes to the contrary that the subject matter of that proposed policy would require the Governance Review Process, the Steering Committee may recommend to the cognizant Cabinet Officer that such proposed policy be issued as an Interim Policy to allow for consideration of the policy through the Governance Review Process in a thoughtful and deliberate manner; provided, however, that the issuance as an Interim Policy sets no precedence with respect to the requirement for the Governance Review Process for that subject matter.
4. Units - Units are formally recognized portions of the College that may include: schools, departments, divisions, offices, centers, divisions, programs, or other administrative units at the College.
5. Unit Policies - Unit Policies generally do not have the broad scope or significant impact of College Operating Policies, but instead may apply to only a single or several units and are established by or for that or those units.

### III. POLICY

#### I. Policy Development and Issuance

- A. The College of New Jersey Board of Trustees issues Board of Trustees Policies in accordance with the Bylaws and applicable law.
- B. The Board delegates to the President the authority to issue College Operating Policies. College Operating Policies are needed to manage the College and its various units in accordance with applicable state and federal law and reasonable administrative practice, and consistent with Board of Trustees Policies and delegations of authority from the Board of Trustees. Occasionally, because of Board of Trustees expressed interest or because the administration notes the implications of a particular policy, a College Operating Policy will be brought to the Board of Trustees as an information item.
- C. The President delegates the development of Unit Policies to College officers or administrators who oversee units of the College. Unit Policies generally do not have the broad scope or significant impact of College Operating Policies, but instead apply to only a single or several units and are established by that or those units.
- D. Interim Policies may be issued by the Board of Trustees, the President, or other College officers or authorized administrators only in extraordinary situations where a policy must be established in a short time period to meet emergency deadlines or in other special circumstances. Special situations where this is likely may include a change in federal or state law, or a major institutional risk. When an Interim Policy is issued the responsible unit shall provide a copy to the Office of the General Counsel, which shall include it in the On-line Policy Manual and deliver a copy to the Steering Committee. Upon receiving notice of any Interim Policy, the Steering Committee will notify campus stakeholders and initiate the Governance Review Process and endeavor to make any recommendations for modifying the terms of the Interim Policy within two academic years after the issuance of the Interim Policy. An Interim Policy may remain in force until the earlier of the end of the second academic year subsequent to the date of issuance (the "Interim Expiration Date"), or until it is replaced by an approved Policy or revoked as no longer necessary. If with due consideration to the respective Governance Review Process an approved policy that replaces the Interim Policy is not issued and the Interim Policy is not revoked or otherwise altered prior to the Interim Expiration Date, the Interim Policy shall take effect as a Board of Trustees Policy, College Operating Policy, or Unit Policy, as appropriate, with the term "Interim" no longer appearing in the title to the policy; provided, however, that to the extent that the Governance Review Process cannot be completed by the Interim Expiration Date because of an extraordinary, unanticipated delay, the Interim Expiration Date may be extended by mutual agreement of the Steering Committee and the cognizant Cabinet officer. For the sake of clarity, the conversion from interim status to a Board of Trustees Policy, College Operating Policy, or Unit Policy in no way forecloses the opportunity for members of the

campus community to later bring an issue of concern about that policy to the Steering Committee or other appropriate representative body for possible review through the Governance Review Process.

- E. Procedures are occasionally incorporated in policies when the procedures help define the nature of the policy. More often, procedures, rules, protocols, directives and guidelines regarding policies need to be part of the implementation process and are developed and refined by College officers and administrators.
- II. Areas of Responsibility
- A. The President may designate an appropriate College officer or administrator to implement and to be responsible for overseeing compliance with a particular approved policy. Key administrators are responsible for identifying areas of operation within their units that are in need of new or revised policy or procedures; for recommending appropriate policies and procedures; for participating in the development of those policies and procedures; and for assuring adherence to approved policies and procedures within their areas of organizational responsibility. In addition, each is responsible for the proper dissemination of all pertinent policy information to those affected in his or her area.
  - B. Employees and students are responsible for knowing, understanding, and complying with policies that relate to their employment or enrollment at the College.
  - C. Unless otherwise specified by law, regulation, or best practice, each approved policy should generally be reviewed not less than every five (5) years, provided, however, that noncompletion of such review within that period shall not invalidate an existing policy.
  - D. Overall responsibility for the maintenance and organization of policies is assigned to the Office of General Counsel. The Office of General Counsel serves as a resource for policy developers and issuers during policy development and review, and then assists in the monitoring of policies for compliance and effectiveness. The General Counsel is authorized to make non-substantive edits and substantive updates to Board of Trustees Policies that are non-discretionary mandatory changes to comply with state or federal law. All such updates shall be reported to the Board and to the Steering Committee as information items. Nonsubstantive edits include but are not limited to updating titles or names that may have changed; correcting grammar, punctuation and typographical errors; editing for language consistency and format; and changing monetary rates that are the result of federal or state regulatory changes (e.g., mileage rate reimbursement).
  - E. Members of the College community should report immediately any discrepancies, inconsistencies or conflicts between policies to the responsible unit(s) for the policies. The responsible unit(s) should then confer with the Office of General Counsel. Approved policies of a later date shall take precedence over policies of a similar category bearing an earlier date. Policies are meant to be read as consistent with each other and any apparent conflict or inconsistencies should be considered

and removed to the extent that is reasonable and practical. For example, wherever possible, obligations of students should be treated as complementary and cumulative rather than alternative. In the event any such conflicts cannot be so removed, the provisions of the policies will be controlling in accordance with the below listed order of precedence:

1. Board of Trustees Policies, including the exhibits thereto
  2. College Operating Policies
  3. Unit Policies
- III. Nothing in this policy limits or circumscribes in any way the power and authority of the Board of Trustees or the President to issue, amend, or revoke policies on any matter, with or without notice, as circumstances or the good of the College may require.
- IV. Nothing in this policy modifies in any way the TCNJ shared governance process which allows designated stakeholder groups to work cooperatively to make recommendations to the administration on issues related to policy in support of the mission of the College.

#### IV. RELATED DOCUMENTS

#### V. HISTORY

Revised by the Board of Trustees on July 9, 2013.

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