

ESSEX COUNTY COLLEGE BOARD POLICY MANUAL

AS OF FEBRUARY 2, 2018

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ESSEX COUNTY COLLEGE

BOARD POLICY

BP 1-1 IMPLEMENTATION OF OPEN PUBLIC MEETINGS ACT

REFERENCE: N.J.S.A. 10:4-6 *et seq.*

a. The Board of Trustees of Essex County College hereby directs the President of the College to carry out the following provisions for appropriate implementation of the Open Public Meetings Act : (Definition are stated in Chapter 10:41-8 if Act.)

1. For all meetings, notice must be given to at least two newspapers circulating in Essex County; be posted in prominent locations; be given to the Clerk of Essex County; be mailed to those persons who have requested such notice and prepaid a set fee of \$10; and contain the time, date, and place of the meetings.

2. For regular meetings, notice must be mailed and posted within seven (7) days after adoption of the annual schedule; and be maintained throughout the year as a valid schedule.

3. For special meetings, notice must be sent at least forty-eight (48) hours in advance; and contain an agenda and a statement as to whether formal action will be taken at the meeting.

4. For emergency meetings, notice must be telephoned, telegraphed, or hand delivered to the newspaper(s); be given as soon as possible after the calling of such a meeting; and contain an agenda and a statement of whether formal action will be taken at the meeting.

b. The Act provides for specific circumstances in which a session of the Board of Trustees may remain open or be closed.

c. The Board of Trustees further directs the Chairman to announce publicly at every meeting and cause to be entered into the official minutes an accurate statement as to the adequacy of the notice of that meeting, or, in the case that adequate notice was not provided, reasons for this inadequacy in accordance with the appropriate law.

d. The Board of Trustees further directs the Secretary of the Board to keep accurate minutes in a reasonably comprehensive manner. The minutes must contain:

1. time, place, and date of meeting;
2. members present;
3. subjects considered;
4. actions taken;
5. vote of each member;
6. any additional information required by law.

e. The minutes must be promptly available to the public. Minutes that have not been adopted should be stamped "Not Yet Adopted and Subject to Change."

f. Any audio/visual recordings of a public session shall be maintained by the College for a period not to exceed 30 days after the adoption of minutes governing said public session.

ATTACHMENTS: No

Approved: 2/7/76
Revised: 11/2/81
Revised: 4/ /95
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 1-2 TRUSTEE APPOINTMENT

REFERENCE: N.J.S.A. 18A:64A-8

a. The Essex County College Board of Trustees is charged by law with the general custody of and responsibility for the property of the College. Moreover, the Essex County College Board of Trustees is responsible for the governance of the institution.

b. The Governor and Legislature through the *Higher Education Restructuring Act of 1994* have amended the powers of the Essex County College Board of Trustees to include numerous other responsibilities. However, in order to insure that the Essex County College Board of Trustees may more effectively carry out all of its duties and responsibilities, effective July 1, 1994, the process and procedures for the Trustee appointments and recommendations shall, in accordance with N.J.S.A. 18A:64A-8 provide for the amended Board of Trustees structure which shall include:

1. Composition of Board of Trustees

(a) Eight (8) voting members to be appointed by the Essex County Executive with the advice and consent of the Essex County Board of Chosen Freeholders.

i. At least two (2) of the appointed members shall be women.

ii. No Trustee appointed after July 1, 1994 shall be an employee of Essex County.

(b) Two (2) of the appointed, voting members shall be appointed by the Governor of State of New Jersey.

(c) The Essex County Superintendent of Schools shall serve as a voting member.

(d) The President shall serve as an *ex officio*, non-voting member.

2. Student Representative to the Board of Trustees

In accordance with N.J.S.A. 18A:64A-8, a Student Representative shall serve as a non-voting member on the Board of Trustees. This student must be elected by, and be a member of, the student body from the graduating class and will serve for a term of one (1) year. While the Student Representative will serve as a non-voting member to the Board of Trustees, he/she shall contribute input on agenda items by providing a written report on matters up for consideration to the Board of Trustees by the Friday before the regularly scheduled public meeting, and will be provided an opportunity to present said report at the regularly scheduled public meeting. The Chair of the Board of Trustees has the discretion to assign Trustees as members to the various Committees of the Board, with the exception of the non-voting Student Representative, whose Board Committee participation shall be exclusive to the Educational Programs Committee, or in the event of a change in Committee title, its equivalent. **The Student Representatives shall have the following role and responsibilities while service as a non-voting member to the Board of Trustees:**

- (a) The non-voting Student Representative to the Board of Trustees shall be eligible to be present at open meetings of the Board of Trustees, with the exception of any discussions within such executive session as set forth in N.J.S.A. 18A:64-3.1.
- (b) The non-voting Student Representative's participation on a Board Committee shall be exclusive to the Educational Programs Committee.
- (c) The non-voting Student Representative shall attend, and participate in, all public meetings of the Board of Trustees.
- (d) The non-voting Student Representative shall endeavor to be aware of, and alert to, the specific needs of the Essex County College community, in partnership with Student Government and the Alumni Association.

The non-voting Student Representative shall be exempt from participating in the following:

- (a) Any Committee or matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective or current officer or employee employed or appointed by the board, unless all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed in a public meeting.

- (b) Any Committee or matter involving the financial operations of the College; the purchase, lease, acquisition or sale of real property with public funds; the setting of banking rates or investment of public funds; or any financial matter where it could adversely affect the public interest if discussion of these matters were disclosed.
- (c) Any Committee or discussion involving pending or anticipated litigation in which the Board is, or may become, a party, where it could adversely affect the public interest if discussion of these matters were disclosed, or any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer.

Commencement Processional

At the Board of Trustees' discretion, the non-voting Student Representative may participate in the Commencement processional. The determination will be made on an annual basis with written notification to the non-voting Student Representative in advance of Commencement.

Confidentiality Agreement

Upon assuming office, the non-voting Student Representative shall sign a confidentiality agreement and adhere to standards of responsibility and confidentiality as established by the Board of Trustees.

Financial Disclosure Form

The non-voting Student Representative shall complete a Financial Disclosure Form with the New Jersey Department of Community Affairs within thirty (30) days of election by the graduating class.

College Employment

The non-voting Student Representative to the Board of Trustees shall not be employed by the College during his/her term, and is not eligible to accept employment as an employee of the College at which he/she has served as a non-voting Student Representative to the Board of Trustees for a period of three (3) months following resignation or expiration of his/her term as a member.

3. Membership Requirements for the Essex County College Board of Trustees

(a) Appointed members must be residents of Essex County for four years prior to appointment.

(b) No elected public official can serve as a voting member.

(d) No employee of the county college can serve as a voting member of the Board of Trustees.

4. Trustee Orientation and Professional Development

A. Upon appointment to the Board of Trustees, each new Trustee shall be apprised of the policy on new Board member orientation by the Chairperson of the Board.

B. The orientation shall include sessions with the President, the Chairperson of the Board and representatives of the College. During the orientation sessions the following topics should be addressed:

1. Trustee roles and responsibilities;
2. Policy making/administration;
3. President, Board and staff relations;
4. Communication procedures;
5. Resources for Trustee education;
6. Personnel and collective bargaining;
7. New Jersey Council of County Colleges, legislative and government relations;
8. Open Public Meetings Act
9. Open Public Records Act;
10. Board structure and organization;
11. Board protocol, norms and ethics standards or conduct;
12. Legal and fiscal responsibilities; and
13. Human Resource practices.

C. The President will coordinate an orientation for each new Trustee, within two (2) months of the appointment to the Board. The orientation should include a tour of the Newark and West Caldwell Campuses as appropriate.

D. It is mandatory that within one (1) year of appointment, each new Trustee is to participate in a Board orientation and training workshop/activity offered by one of the following organizations, if funds are available:

1. New Jersey Council of County Colleges;

2. American Association of Community Colleges;
3. Association of Community College Trustees; or
4. Association of Governing Board

ATTACHMENTS: No

Approved: 8/ /95
Revised: 9/ /97
Revised: 5/5/05
Revised: 06/23/2016
Revised: 04/10/2017
Revised: 05/16/2017
Revised: 12/19/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 1-2.1 SEATING OF BOARD MEMBERS; ROLE OF CONSTITUENT
UNIT REPRESENTATIVES**

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. Representatives of constituent units of the College, including but not limited to employee, student, and alumni organizations, may be invited to provide advice to the Board at any Conference Meeting of the Board, and before any Board Standing or Special Committees.

b. Representatives of such groups may be called, on a priority basis, to present their views at the designated time for public statements during a Public Meeting.

c. Only those persons designated by law as Trustees or ex-officio Board Members shall be seated with the Board at the Public Meeting.

ATTACHMENTS: No

Approved: 3/23/81

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 1-3 MISSION STATEMENT

REFERENCE: N.J.S.A. 18A:64A-12(o)

Mission

Essex County College, an open access community college, serves the dynamic needs of diverse constituencies through comprehensive educational programs and services.

Values Statement

Essex County College reaffirms the following principles, values, and beliefs.

Teaching and Learning: We affirm teaching and learning as our primary purpose. The College seeks to instill in students general and specialized knowledge, an ability to think critically, a commitment to civic responsibility, and an appreciation of complex, ethical, and scholarly traditions. We value academic freedom and support the open exchange of ideas and experiences.

Excellence and Accountability: We believe in creating a learning environment that fosters high expectations for achievement. The College is committed to rigorous academic standards, faculty experience, and responsive support services that enable students to reach their full potential. We provide excellent programs that utilize technology, demonstrate innovation, and undergo evaluation to ensure consistent and outstanding performance.

Community: We support programs that enhance the economic and social development of Essex County. The College welcomes its role as a vital community resource and is dedicated to forging effective linkages with its many constituencies. We take pride in our outreach and continually strive to enhance life-long learning opportunities for personal and professional growth.

Diversity and Access: We embrace the rich diversity of our student population and our employees. We recognize the historical, intellectual, and artistic contributions of all people, and promote an atmosphere in which distinct cultural viewpoints are accepted and encouraged. We believe all people should have access to affordable, quality higher education that will prepare them to succeed in an ever-changing world.

Legacy: We honor our history and valued traditions. We also welcome progress and change. Building upon our past achievements, we eagerly embrace the future by pursuing innovations in teaching, administration, and student services.

ATTACHMENTS: No

Approved: 8/ /79
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 1-4 CODE OF ETHICS/CONFLICT OF INTEREST

REFERENCE: N.J.A.C. 9A:3-1.1/N.J.S.A. 52:13D-12.1/ N.J.S.A. 52:13D-23

a. This Code of Ethics/Conflict of Interest Board Policy is applicable to all members of the Board of Trustees of Essex County College.

b. Definitions:

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

Board means the Board of Trustees of Essex County College.

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

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

Immediate family member means the spouse, civil union partner, natural or adopted child, grandchild, parent, or sibling of a trustee.

Interest means any personal, financial, economic, or property interest, or other concern amounting to a right, advantage, share or portion, inuring either directly or indirectly to a trustee or to an immediate family member of a trustee, or any organization or entity which that trustee is an officer, director, member or shareholder, either singly, or in affiliation with any person or party as defined herein.

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

c. Standards of Ethics

1. No trustee shall have any interest, financial or otherwise, 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.

2. No trustee shall use his or her official position to secure unwarranted privileges or advantages for himself or herself or others.
3. No trustee shall act in his or her official capacity in any College matter in which the trustee or immediate family member of the trustee has a direct or indirect financial interest that might reasonably be expected to impair the trustee's objectivity or independence of judgment.
4. 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 impair the trustee's objectivity or independence of judgment in the exercise of his or her official duties as a trustee.
5. No trustee shall accept, directly or indirectly, any gift, favor, service, or other things of value under circumstances from which it might be reasonably inferred, or which the trustee knows or has reason to believe, is offered for the purpose of influencing the discharge of his or her duties as a trustee.
6. No trustee shall act in any way that might reasonably be expected to create an impression among the public, having knowledge of the trustee's acts, that he or she might be engaged in conduct that violates his or her trust as a public official.
7. 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 or proceeding involving the College.
8. No Trustee should knowingly act in an official capacity, by voting or otherwise, on any College matter in which he/she has an Interest as defined herein.
9. No Trustee should willfully disclose to any person or party any information not generally available to the general public which he/she receives or acquires in the course of his/her official duties as a trustee.
10. No Trustee should transmit, without disclosure to and approval by the Board of Trustees, to any Person or Party with which the Trustee has an Interest, of College sponsored work products, results, materials, records, or information that are not made generally available.

11. 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.
12. As an individual, a trustee has no legal authority outside of the meeting of the Board and should conduct himself or herself accordingly with the College staff, local citizens, and all facets of the local community.
13. 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 toward the goals. However, trustees should leave the conduct of the educational program and the College's business to the President and the administration of the College.

d. Duty of Confidentiality

Any information regarding the College, a College matter (as defined above), obtained by a board member in a non-public session of the Board or in a Committee meeting of the Board, or in a non-public discussion with a College officer, fellow board member or trustee, cannot be disclosed to any other party other than other board members, the President, other College administrators, if appropriate, unless the board member is authorized by the Board to do so or until such College matter becomes disclosed publicly at a public meeting of the Board or by a duly authorized officer of the College.

e. Duty of Loyalty and Independence

A board member's fiduciary duty of loyalty and independence to the College includes the following:

- 1) To diligently and honestly discharge his/her duties as a board member by attending meetings of the Board, becoming knowledgeable and informed about matters before the Board, and using independent judgment to make objective decisions in the College's best interest.
- 2) To place the College's interests in any transaction ahead of their personal interests, and attempt to avoid or resolve any potential conflict of interest related to any transaction.
- 3) To exercise his or her powers as a member in the interest of the College, rather than in the member's own self-interest or in the interest of any other person or group, including the member's

appointive authority. A member taking action on a particular item must be independent, meaning that he or she can consider the issue of what is in the best interests of the college on its merits, free from any extraneous influences. Such influences include political interference in the affairs of the institution, as such interference presents a threat to the College's freedom and effectiveness. Direct intervention by elected or appointed officials, political parties, or pressure groups in the selection of faculty, staff, administration, the determination of curricula, textbooks, course content, the awarding of contracts, or in admissions or retention policies, injects factors which are often inimical to the fulfillment of the College's mission.

f. Disclosure of Potential Conflict

1. At first knowledge of a transaction involving the College that reasonably could give rise to a conflict of interest, a trustee shall disclose to the Board the precise nature of the interest or involvement of the trustee or the trustee's Immediate family member, or an organization or entity which that trustee is an officer, director, member or shareholder, in any College matter to be considered by the Board or that was formerly considered by the Board.
2. Upon notification of the appointment or reappointment of a trustee, the President of the College shall provide the trustee with a copy of this Code of Ethics/Conflict of Interest Board Policy.

g. Enforcement

- (1) The President or a Trustee shall notify the Chair of the Board if he/she believes that a Trustee has violated this Code of Ethics/Conflict of Interest Policy or any other Bylaw or Board Policy. The notification shall be referred to the Policy and Governance Committee for a determination within 90 days of the notification. The Policy and Governance Committee shall notify a Trustee that it has been notified that the Trustee may have violated the provisions of this Code of Ethics. The notification shall be in writing and specify the section of the Code of Ethics alleged to have been violated and the facts and circumstances surrounding such allegations. The Trustee shall have an opportunity to present information, including documents and written and other oral statements to refute the allegations. The Policy and Governance Committee shall make a recommendation for disposition of the matter to the full board of Trustees. The Trustees shall then determine by a majority vote whether to adopt the recommendation, and if a violation is found, may ask for the resignation of such Trustee, remove a Trustee as an officer, remove a chair or committee assignment, and such other relief as it may deem

appropriate under the circumstances. If deemed appropriate under the circumstances, the Board shall make a recommendation to the Board of Chosen Freeholders that such Trustee be removed from the Board of Trustees for cause, or make such other recommendation for a penalty as the Board may deem appropriate under the circumstances.

- (2) The Policy and Governance Committee may recommend that the Board of Trustees refer, to the appropriate prosecutor, any matter that in its judgment, might involve criminal misconduct. The full board shall vote on whether such referral shall be made. If such a referral is made, the Board shall defer taking any further action in the matter pending a determination by the prosecutor that the matter will or will not result in a prosecution.

ATTACHMENTS: No

Approved: 1/17/2017

Revised: 11/21/2017

Revised: 12/19/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 1-5 POLICY ON BOARD OF TRUSTEES' SELF-EVALUATION

REFERENCE: N.J.S.A. 18A:64A-12

The Board of Trustees of Essex County College acknowledges that they are the final authority for the institution, whose assets and operations they hold in trust. Cognizant of its fiduciary and fiscal responsibilities, the Board is committed to assessing its own performance on an annual basis, in order to identify its areas of strength and improve its areas of weakness, as to better serve the College. To assess its performance, the Board has established the following criteria:

- 1) The Board will annually evaluate and assess its own performance, using the Trustee Evaluation Instrument and process as approved by the Board;
- 2) The instrument shall incorporate criteria contained in Board policies regarding operations, in addition to criteria defining board effectiveness, promulgated by recognized practitioners in the field;
- 3) All Trustees shall complete the annual evaluation instrument no later than February 28th, from which a summary shall be presented and discussed during a Board Retreat to be held each April. During the April Retreat, the Board of Trustees shall discuss and develop a plan based on the summary. Additionally, during the Retreat, the Board shall discuss and develop goals to be utilized in the assessment of the President of the College. The Board of Trustees shall vote on the plan developed at the retreat at the next regularly scheduled meeting following the April Retreat;
- 4) In addition to identifying specific issues, the discussion of the Board's roles and responsibilities can build communication and understanding among Board members of each other's values and strengths, and lead to a stronger, more cohesive working group; and
- 5) The President may also provide the Board with comments and perspectives about the performance and accomplishments of the Board during the previous year and may suggest goals for the following year.

ATTACHEMENTS: No

Approved: 2/21/2017

Revised: 10/17/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-1 PRESIDENTIAL SEARCHES

REFERENCE: N.J.A.C. 9:4-1.10

a. The Board of Trustees of Essex County College shall conduct presidential searches in accordance with severally accepted practices which may include:

1. Assistance from, or consultation with, a nationally recognized higher education group, agency or association, at least at the inception of the search process.
2. Assessment of the needs of the institution.
3. The adoption by the Board of appropriate criteria governing the selection of a new president;
4. Creation of a search committee that, if it is to contain persons other than trustees, is broadly representative of the constituencies of Essex County College, and whose purpose is to make recommendations to the Board of Trustees for its consideration and action;
5. Opportunity for the search committee to consult with various groups within the institutional community in establishing appropriate search criteria;
6. Public advertisement of the position of the presidency with a minimum of 60 days to respond from the first notice published in a newspaper of regional or national circulation suitable for the institution.
7. Development of a pool of qualified candidates, evaluating each in comparison to the criteria established by the College.
8. Interviews of at least four candidates, evaluating each in comparison to the criteria established by the College.

ATTACHMENTS: No

Approved: 3/ /96
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 2-2 EVALUATION OF ADMINISTRATIVE
PERSONNEL**

REFERENCE: N.J.S.A. 18A:64A-12(f); N.J.S.A. 18A:64A-13

a. There shall be a uniform system for the evaluation of administrative personnel which is consistent with the following considerations:

1. Uniform standards shall be applied.
2. Staff shall be evaluated on their contributions to their attainment of institutional goals and objectives.
3. Staff will be provided with objective feedback regarding their performance and, if warranted, a plan for facilitating their professional development.
4. It will allow the administrator to review his/her progress and respond to the evaluation.
5. It will afford the President an adequate basis for recommendations to the Board of Trustees on the retention, non-retention and promotion of an administrator.

b. If requested, the President shall submit to the Board of Trustees an analytical summary of this evaluation after reviewing same with the administrator.

c. To the extent required by law, evaluation procedures may be negotiated with the Administrative Association, but establishment of criteria shall be the responsibility of the President.

ATTACHMENTS: Yes

Approved: 6/5/74
Revised: 9/ /80
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-3 POSITION DESCRIPTIONS

REFERENCE: N.J.S.A. 18A:64A-12(g)

a. In order to develop clear and definitive lines of responsibility and authority within the institution, there should exist a detailed description of the duties of each College employee. The description should contain at least the following elements:

1. Title
2. Area of Authority
3. Characteristics, Duties & Responsibilities
4. Supervision Received and Given
5. Minimum Acceptable Qualifications
6. Additional Desirable Qualifications

b. Every individual in the employment of the College shall have job descriptions.

c. Nothing in this policy shall affect the rights and obligations of either the President or the Board of Trustees as set forth in Title 9A of the New Jersey Administrative Code or Title 18A of the New Jersey Statutes.

ATTACHMENTS: No

Approved: 6/5/74
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05
Revised: 11/21/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 2-4 RECOGNIZATION OF EMPLOYEE NEGOTIATING
UNITS**

REFERENCE: *New Jersey Employer-Employee Relations Act*
 P.L. 1968, c 303

a. The Board of Trustees recognizes the following employee negotiating units as the sole and exclusive bargaining representative of employees in the appropriate units.

1. Adjunct Faculty Federation
2. Administrative Association
3. ECC Security Association
4. Faculty Association
5. Fraternal Order of Police
6. Professional Association
7. Support Staff Association

b. Recognition is extended solely to all regular full-time College employees within those titles, classifications and positions, that are recognized and understood to be within the above designated units, and contained in the recognition clause of the unit's negotiated agreement and explicitly excludes all confidential employees.

ATTACHMENTS: No

Approved: 7/25/74
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05
Revised: 6/20/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-5 AWARDING HONORARY DEGREES

REFERENCE: N.J.S.A. 18A:64A-12(i)

a. The College awards honorary degrees in recognition of an individual's career of extraordinary achievement. The College may recognize an individual by conferring: (i) an Honorary Degree of Associate in Arts (A.A); (ii) an Honorary Degree of Associate in Science (A.S.); or (iii) an Honorary Degree of Associate in Applied Science (A.A.S). The following sets forth procedures and criteria for the awarding of such degrees.

b. Nominations will emanate from the President's Cabinet, which is comprised of the President of the College and members of the senior administration. One or more names will be presented prior to May Commencement to the College's Board of Trustees for consideration. In only the rarest of circumstances will more than two persons in a given year be awarded any honorary degree by the College.

c. The President shall be responsible for managing the selection process at the Cabinet level. The chairperson of the Board of Trustees shall be responsible for managing the selection process at the Board level.

d. Nominations, stating reasons for the prospective awarding of such honor, shall be accompanied, wherever possible, by the following supporting information in narrative form:

1. Full name of nominee for award
2. Current and past positions held relevant to the nomination
3. Degrees received and granting institutions
4. Significant honors, achievements, contributions
5. Societies, associations for which nominee hold membership
6. General qualifications for award/other pertinent information

e. The nomination process shall be confidential. Nominees should not be contacted during the nomination process, out of regard for those individuals who are not selected.

1. Every effort will be made to select honorary degree candidates that reflect the demographic (male-female, racial, ethnic) composition of the Essex County population.

2. While persons of national standing may be considered for honorary degrees, normally only those persons who have made significant contributions to the College and the County of Essex will be considered for such degrees.

3. Honorary degrees shall be conferred on persons exemplifying concepts of excellence, service, and integrity most cherished by an institution of higher learning:

- i. Distinguished scholarship;
- ii. Eminent accomplishment in the professions, sciences, arts, humanities, public service, and public policy;
- iii. Dedication to student access and achievement in higher education;
- iv. Philanthropy in education, the arts and sciences, and social welfare;
- v. Direct contribution to the College;
- vi. Recipients must attend graduation ceremony to be eligible to receive the award.

ATTACHMENTS: No

Approved: 7/10/74
Revised: 11/2/81
Revised: 8/ /95
Revised: 4/28/05
Revised: 6/20/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-6 EVALUATION FOR TENURE

REFERENCE: N.J.S.A. 18A:60-1 *et seq.*
 N.J.A.C. 9A:7-3.1 *et seq.*

a. Any person hold academic rank must be evaluated annually for the granting of tenure. The administration will ensure that the evaluation is performed prior to the awarding of a contract under which tenure would be attained, and prior to any unit contract dates which would mandate granting a contract.

ATTACHMENTS: Yes

Approved: 7/25/74
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-7 TENURE PLAN

REFERENCE: N.J.S.A. 18A:60-1 et seq.
N.J.A.C. 9A:7-3.1 et seq.

a. In order to maintain the flexibility of the College to respond to the changing educational needs of future generations of students, the ECC Board of Trustees shall take appropriate steps to achieve a balance between tenured and non-tenured faculty.

b. The factors for maintaining a desirable balance between tenured and non-tenured faculty are listed below.

1. Tenure should be awarded to faculty only after clear and positive evidence of excellence in scholarship and classroom performance is presented. It should be clear also, through positive evidence, that the individual is prepared to make a significant and continuing contribution to the College, i.e., its student population and the community. It should not be awarded simply because negative evidence is lacking. (To insure that tenure is granted only to those persons who strive for excellence in themselves and their students, the College must provide an atmosphere which enables all faculty to attain their highest potential.)

2. When considering the granting of tenure, the centrality of an individual's discipline and department in the life of the College shall be considered a relevant criterion.

3. Periodic examination of tenured faculty positions should be performed in light of new trends in professions, careers, and vocations. Where faculty lines seem unjustified in view of a dearth of productivity, they should be eliminated after giving the instructors involved opportunities to re-train themselves.

4. Tenure for those engaged in support services, such as counselors, librarians, and administrators, will be administered in accordance with the State and County College Tenure Act (N.J.S.A. 18A:60-6 et seq.)

5. The College may establish a maximum desirable tenure percentage. This percentage shall be reviewed periodically as deemed appropriate.

ATTACHMENTS: No

Approved: 12/4/74

Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-8 ACADEMIC RANK AND NON-TEACHING PROFESSIONALS

REFERENCE: N.J.A.C. 9A:7-4.2

It is the policy of the Board of Trustees of Essex County College that employees awarded academic rank must be full-time members of the teaching faculty. College Administrators cannot simultaneously serve as full-time members of the teaching faculty and are, therefore, not eligible to be awarded academic rank. The foregoing shall not affect those individuals who acquired tenure at Essex County College prior to their appointment to a non-teaching position.

ATTACHMENTS: NO

Approved: 5/16/17

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 2-9 DISSEMINATION OF PERSONAL INFORMATION
REGARDING TRUSTEES AND EMPLOYEES**

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. Personal information regarding Trustees and employees of the College shall be protected from indiscriminate use by outside parties.

b. In the event that outside parties make inquiry for information relating to Trustees or employees of the College, such information, unless in the Public Domain, shall be reviewed and approved by College Counsel prior to its dissemination.

ATTACHMENTS: Yes

Approved: 8/21/80

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-10 GRANT PROGRAM APPROVAL AND IMPLEMENTATION

REFERENCE: N.J.S.A. 18A:64A-12(o)

- a. Board approval of a grant program may be requested by the President prior to official appropriation of grant funding to the College
- b. Advance preparation for implementation may be authorized by the President upon receipt of the award letter.
- c. The President shall issue directives as needed to implement this Policy.

ATTACHMENTS: No

Approved: 12/1/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-11 VOLUNTARY SERVICES

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. The President or his designee may accept voluntary services from those persons who wish to provide assistance to the College in the areas where a need exists.

b. The procedures governing the intake and screening of volunteers shall be governed by administrative regulation.

ATTACHMENTS: No

Approved: 6/22/83

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 2-12 EVALUATION OF COLLEGE PRESIDENT

President's Performance Evaluation – Description

Performance appraisal and evaluation is deemed an inherent function and responsibility of by the Board of Trustees. Consistent with the College's commitment to ensure that all employees are evaluated and properly positioned for success, and to serve the best interests of the Institution, the evaluation of the President is conducted by the College's Board of Trustees.

The President's evaluation is a process whereby the Board shall communicate what is expected from the role of President, provide feedback as to the President's current performance, discuss areas that may be in need of improvement, and discuss matters related to the President's employment that the President wishes to discuss.

The President is evaluated annually by the Board of Trustees in accordance with evaluation procedures. All evaluation materials are stored within the independent legal firm representing the Board of Trustees with a copy provided to the President for his/her records.

The evaluation of the President is conducted annually by the Board of Trustees.

- May: Summary Evaluation, which will be presented at the June Meeting.

The Board of Trustees shall complete the prior year Summary Evaluation based on:

- Self - evaluation from the President (derived from previous year's agreed upon goals) and includes suggested President's goals and institutional goals for the coming year; and
- Completed performance survey completed by each member of the Board of Trustees

The Summary Evaluation consists of written responses to questions approved by the Board of Trustees.

The Board of Trustees shares the Summary Evaluation in a meeting with the President. The outcomes of the meeting include:

- agreement on Summary Evaluation
- agreement on President's goals for coming year
- agreement on institutional goals for coming year
- agreement on President's remuneration package for the upcoming year

The Board of Trustees will agree on President's goals for the upcoming year at the next regularly scheduled meeting of the Board of Trustees.

- January: Mid-year Summary of Goals

A mid-year summary of the status of progress on the President's goals is prepared by the President and shared with the Board of Trustees.

- May: Summary Evaluation

Performance evaluation cycle continues.

ATTACHMENT: No

Adopted 5/16/2017

Revised 1/23/2018

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-1 UNRESTRICTED FUND BALANCE

In accordance with sound fiscal management and with the intent of maintaining sufficient financial resources to effectively respond to unexpected fluctuations in revenues or expenditures, Essex County College shall strive to maintain an unrestricted fund balance equivalent to a minimum of 4% to 7% of its unrestricted operating budget.

Due to the funding streams being unpredictable and the desire to impose an equitable tuition rate upon our students, Essex County College establishes a fund balance policy that sets a minimum recommended level consistent with community college operations. Such minimum recommended level shall be an unreserved fund balance of no less than 4% of the prior year's operating budget. However, when favorable revenue streams materialize and/or the College experiences minimal unanticipated expenditures, such fund balance should strive for between 4% and 7% of the prior year's operating budget.

In addition to unreserved fund balance, the administration and Board of Trustees may establish reserves for contingencies that take into consideration issues that are specific to the College, not inconsistent with law. Other reserves that are authorized by State law may be established. Such reserves may help stabilize the policy objectives of the College. Unreserved fund balance may be used for emergencies of a non-recurring nature as a result of natural disasters or physical plant emergencies. Such emergencies are defined as expenditures necessary to remedy situations that impede the delivery of our mandated services to our students or situations that may cause physical harm to individuals or property on the Campus. Fund balance, below the stated minimum levels, should not be used to fund recurring expenditures and/or to merely supplement operating revenues to balance a budget and should be utilized solely for extraordinary items which are "infrequent or unusual" in nature. However, use of the fund balance may be necessary and permitted if unanticipated reductions in revenue streams occur after the operating budget has been adopted. The Board of Trustees must be notified, and approve of, of any use of the minimum unreserved fund balance.

In the event that fund balance is below the 4% minimum as set forth above, subsequent budgets should recognize the need and desire to maintain such level. The operating budget should be adjusted accordingly so as to raise sufficient funds to meet both the minimum desired level of fund balance and to fund the operating expenditures. Generally, the College should re-establish the desired fund balance level within three (3) years, unless otherwise approved by the Board of Trustees.

The Board of Trustees shall be advised of the current fund balance on a monthly basis.

ATTACHMENTS: No

Approved: 12/19/2017

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-2 CERTIFYING AGENT - PENSION PLANS

REFERENCE: N.J.S.A. 18A:3B-33 and 43:3B-4

a. The Comptroller and the Director of Human Resources is designated as the administrator authorized by the Board of Trustees to process and certify all documents pertaining to enrollments, transfer of members' accounts, retirements, withdrawals, loans, insurance, claims, and other matters which require such certification by the College

b. This policy resolution shall apply to all College pension plans including but not limited to:

1. Teachers Pension and Annuity Fund
2. Alternate Benefit Program
3. Public Employees' Retirement System
4. Police and Firemen's Retirement System

ATTACHMENTS: No

Approved: 7/31/74

Revised: 1/12/81

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-3 ANNUAL AUDIT OF ESSEX COUNTY COLLEGE

REFERENCE: N.J.A.C. 9:4-3.1

- a. The Higher Education Restructuring Act of 1994 requires that each county community college shall annually file with the Education and Local Government Section of the Office of Management and Budget, an audit of the College's accounts, financial transactions and enrollment (the "audited financial statement"). This audited financial statement must be conducted by a certified accounting firm of the State of New Jersey.
- b. In order to ensure that such audits and reviews permit a detailed analysis of the operations, it is also beneficial that the independent auditing firm, selected annually, be so retained on or before June 1 of the year in which the annual audit is to be conducted. Audited financial statements should be completed no later than six months after the end of the fiscal year.
- c. The Board of Trustees of Essex County College shall appoint a certified public accounting firm on or before June 1 of the year in which the annual audit is to be conducted.
- d. The annual audit shall be presented to the Board of Trustees by the President at the first Board meeting following the issue of the final audit report and shall be accepted with public discussion.
- e. Every four years, the College shall either change certified public accounting firms or, within the same firm, change partners and complete auditing staff. If the College changes firms or staff, no member of the staff from the prior four years shall perform audit services in the following four years.

ATTACHMENTS: No

Approved: 5/7/95
Revised: 8/ /95
Revised: 9/ /97
Revised: 5/5/05
Revised: 6/20/17
Revised: 12/19/17
Revised: 1/23/18

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-4 INVESTMENT POLICY

AUTHORITY

New Jersey Statue 18A:3B-6 Powers, duties of governing boards of institutions of higher education.

Subsection g states “To invest and reinvest the funds of the institution...”

Overview

This Investment Policy establishes the policies and guidelines for the administration and investment of Essex County College funds. Its purpose is to document the policies, guidelines and procedures that are intended to provide the greatest probability that the investment funds objectives are met in a prudent manner consistent with the established guidelines. The College will consolidate cash balances from all funds, except for cash in certain restricted and special funds, to maximize investment earnings. Investment earnings from earned income and/or realized capital gains will be allocated to the various funds or re-invested in accordance with College policy. Investment of restricted funds, where applicable, will also be guided by this policy, in addition to any other specific fund restrictions that may apply.

Investment Objectives

Operating Cash Short-term Investment Objective

Operating cash of the College (cash not needed for six months) will be invested in short term interest bearing accounts to the extent it is not needed in the operating bank account to cover checks drawn on the account.

Intermediate-term Investment Objective

The overall objectives for the College’s intermediate-term investments (cash not needed for 1.5 years) is maximization of total return and preservation of capital without undue exposure to risk within the parameters specified in this policy statement.

Long-term Investment Objective

Funds will be invested in long-term assets, such as equities, (with modified duration/intervals of 2 to 5 years) with the objective of achieving a balance between preserving the long-term real purchasing power and long-term growth potential of the portfolio needed to offset the effects of inflation while providing a relatively predictable and growing stream of as much real spendable income as possible; to provide sufficient liquidity and avoid taking excessive risk with the portfolio.

Guidelines and Procedures for Short-term, Intermediate-term and Long-term Investments

The portfolio(s), under the management of investment manager(s), represents the assets of Essex County College. Investment manager(s) and Essex County College recognize the fiduciary nature of the portfolio and the important responsibilities associated with its management.

The investment manager(s) is responsible for optimizing investment return and growth of the College's assets within the guidelines that have been established and are identified herein. The investment manager(s) has investment discretion over the assets in the portfolio within the policy while ensuring that the assets will be invested with care, skill, prudence, and diligence.

Competitive Selection of Investment Manager(s)

All investment activities are affected through competitive bidding. The College will accept the offer that most closely mirrors the guidelines established within this policy. The investment manager(s) selected will provide the highest rate of return, net of fees, within the required time to maturity, while preserving the principal amount and creating economic stability. Consideration will be given to historical performance and fee structure during the selection process.

Investment Oversight and Internal Control

The President has overall management responsibility for the College's finances, the Vice President of Administration and finance will provide oversight of the College's investment management policy. The Office of the Chief Financial Officer is responsible for the custody and disbursement of all investment funds, as well as the receipt and safekeeping of all investment monthly statements and other investment documents in accordance with established policies and procedures. No person may engage in an investment transaction on behalf of the College except as provided under the terms of this policy and the procedures established by the Office of The Chief Financial Officer. The Chief Financial Officer will ensure the establishment of a system of controls to regulate investment activities. The controls shall be designed to prevent unauthorized assignment of College funds for investment purposes and to prevent and control losses of funds arising from fraud, employee error,

misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by officers or employees. The Chief Financial Officer will chair an internal Investment Advisory Group consisting of the Bursar, the Director of Fiscal Operations, the Purchasing Director, a faculty member from the Business Department and the General Counsel as an ex-officio member to approve the selection of an outside investment manager(s) and to review the results of the investment portfolio (hereinafter "investment portfolio") against the state Cash Management Fund and other relevant market indexes. The Chief Financial Officer is charged with the responsibility to ensure that the quality of the investment portfolio remains consistent with this policy.

The Chief Financial Officer will provide summary performance results and status of the investment portfolio to Vice President of Administration and Finance who will provide recommendations to the President. The President will present recommendations to the Board Finance Committee as requested, or at least annually.

Investment Guidelines:

1. Permissible Investments

The College's investment portfolio may consist of the following and based on short-term, intermediate-term and long-term investment objectives as outlined above:

- a. Obligations of the U.S. government and its agencies
- b. Money market instruments, repurchase agreements, commercial paper, bankers' acceptance, certificates of deposit, and approved money market funds
- c. State bonds
- d. Municipal, local and agency bonds
- e. Corporate bonds
- f. Floating rate securities without interest rate caps
- g. U.S. and International Equity Securities

The college reserves the right to select investment opportunities with companies specifically aligned with our mission.

2. Quality

Commercial paper must be rated A-1, P-1, or better by either Standard and Poor's Corporation ("S&P") or Moody's Investor Services (Moody's) at the time of purchase. Certificates of Deposit, Bankers Acceptance and Repurchase Agreements will be collateralized and where applicable, principal is guaranteed through GUDPA and FDIC insured.

Securities of issuers with a long-term credit rating must be rated at least “AA”, “Aa” by S&P or Moody’s, respectively with a maturity of no more than five years. Securities of finance companies must be senior debt securities and rated A/A. The primary benchmarks for U.S. equity securities are Russell 3000 and S&P 500. The primary benchmark for international equity securities is the MSCI All Country World ex-U.S. index. If S&P, Moody’s and/or any other high ranking nationally recognized statistical rating organization (NRSRO) downgrades a security held in the investment portfolio below the minimum rating specified above, the investment manager will notify the Chief Financial Officer and recommend appropriate action.

The weighted average credit quality of the investment portfolio is to be no less than AA (or its equivalent rating).

3. Asset Allocation/Diversification – Credit Risk, Investment Risk and Interest Rate Risk

It is the policy of the College to strategically allocate its investment portfolio comprising of a fixed income portion and an equity portion. The expected role of equity investments will be to maximize the long-term real growth of portfolio assets, while the role of fixed income investments will be to generate current income, provide for more stable periodic returns, and provide some protection against a prolonged decline in market value of portfolio equity investments.

Portfolio diversification is employed as a way to limit certain types of risk. *Credit Risk* will be minimized by limiting investments to the safest types of securities, prequalifying the financial institutions, brokers/dealers, and diversifying the investment portfolio so that potential losses including capital losses will be minimized or avoided. *Investment Risks* will be reduced while attaining market average rates of return by diversifying the investment portfolio with respect to the type of securities, the concentration of investments held by any financial institution, and the length of maturities of investments in the portfolio. *Interest Rate Risk* will be minimized by structuring the investment portfolio so that securities mature to meet cash flow requirements, thereby avoiding the need to sell securities before maturity. Any deviation from the guidelines established herein shall be allowed only with the expressed approval of the Board of Trustees.

The investment manager(s) will *not* invest more than 20 percent of total assets under their control (market value at time of investment) in the securities of issuers in any particular industry, other than United States government securities, or government agency securities. No more than 10 percent of the account, valued at market at the time of purchase, will be invested in securities (other than United States Government) of any one issuer. No more than 10 percent of the outstanding securities of an issuer will be purchased, except such restrictions shall not apply to United States government or government agency securities or repurchase agreements.

For purposes of this asset allocation/diversification policy, securities of a parent company and its subsidiaries will always be combined except for captive finance companies. Such captives will be included with their parent company only if their primary purpose is to finance the parent's business. Securities issued by the U.S. Treasury and U.S. government agencies are specifically exempted from these restrictions.

Security and Issuer Diversification

	Permissible Investments	Maximum Percent of Portfolio Allowed	Maximum Percent of Portfolio Per Issuer
A.	U.S. Government	100%	100%
B.	U.S. Treasury	100%	100%
C.	U.S. Agencies	100%	33%
D.	Certificates of Deposits	25%	10%
E.	Banker's Acceptances	25%	10%
F.	Commercial Paper	25%	10%
G.	Corporate Bonds	25%	10%
H.	Money Market Mutual Funds	25%	10%
I.	Repurchase Agreements	25%	10%
J.	U.S. Equity Securities	10%	5%
K.	International Equity Securities	5%	3%

4. Marketability/Liquidity

Investment manager(s) will purchase securities that regularly trade in a secondary market under normal conditions. Investment manager(s) will structure the investment portfolio so that securities mature concurrent with the College's cash needs. Cash flow forecasts, based on reasonable knowledge of future fiscal events and historical fiscal trends, will be developed by the College's Fiscal Affairs Director. Investment Portfolio holdings will be sufficiently liquid to ensure that 5% of the portfolio can be sold on a day's notice with no material impact on market value.

5. Maturity/Portfolio Duration

The investment portfolio's average duration should not exceed the BofA Merrill Lynch 1-3-Year Government Bond index; however, the benchmark index is subject to change at the discretion of the Chief Financial Officer. The final maturity of each security within the investment portfolio will not exceed five years.

6. Performance Measurement/Yield

Due to the inevitability of short-term market fluctuations, it is intended that the following performance objectives will be achieved by the Investment manager(s) over a five-year moving period, net of investment fees. The investment portfolio shall be designed with the objective of regularly exceeding the average return on the three-month U.S. Treasury bills. Nonetheless, the College reserves the right to evaluate and make any necessary changes regarding the Investment manager(s) over a shorter term using the criteria established in this policy statement.

Rebalancing

The investment manager(s) will review the investment portfolio semiannually (June 30 and December 31) to determine the deviation from target weightings. If any asset class (equity or fixed income) within the portfolio is +/-5 percentage points from its target weighting, then the investment portfolio will be rebalanced. If any fund within the portfolio has increased or decreased by greater than 20% of its target weighting, the fund will be rebalanced. The investment manager may provide a rebalancing recommendation at any time and shall act within a reasonable period of time to evaluate deviation from these ranges.

Reporting

The investment manager(s) will meet with the Investment Advisory Group on a quarterly basis and will be available for regular telephone contact. Investment manager(s) will submit, to the Office of the Chief Financial Officer, monthly statements of transactions along with asset allocation, historical cost and market valuation of investment portfolio assets.

Market Benchmark

Quarterly, the investment manager(s) will provide an overview of the markets and review of the investment portfolio's performance, net of fees, relative to an appropriate index and allocation benchmarks as agreed to by the Chief Financial Officer, Vice President of Administration and Finance along with other members of the Investment Advisory Group and the performance results of the New Jersey Cash Management Fund.

Peer Group Ranking

The total return, net of fees, for each investment manager(s) shall rank in the top third of the fixed income peer group over a market cycle of 3-5 years.

7. Performance Measurement

Due to the inevitability of short-term market fluctuations, it is intended that the following performance objectives will be achieved by the Investment manager(s) over a five-year moving period, net of investment fees. Nonetheless, the College reserves the right to evaluate and make any necessary changes regarding the Investment manager(s) over a shorter term using the criteria established in this policy statement.

8. Prohibited Investments

The investment manager(s) **shall not utilize derivative securities** to increase the actual or potential risk posture of the accounts. Subject to other provisions in this Investment Policy, the **use of primary derivatives is prohibited**. These include but are not limited to structured notes, all class tranches (as defined by the Federal Financial Institutional Examination Council) of collateralized mortgage obligations (CMOs), principal only (PO) or interest only (IO) strips, inverse floating securities, futures contracts, options, short sales, margin trading, and such other specialized investment activity.

Moreover, the Investment manager(s) may not use derivatives to affect a leveraged portfolio structure.

9. Ethics and Disclosure of Conflicts of Interest

Members of the Board Finance Committee and The Board of Trustees, the President, the Vice President of Administration and Finance, The Chief Financial Officer along with other members of the Investment Advisory Group will refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Disclosure shall be made of any material financial interests in financial institutions that conduct business with the College, membership on any Board of such institutions or any personal financial interest or investments that could be related to the performance of the college's portfolio that could reasonably be considered a conflict of interest.

Requirement for Periodic Review

The Board Finance Committee shall review this policy annually.

ATTACHMENTS: NO

Approved: 11/21/17

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-5

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-6 APPROVAL OF TRUSTEE EXPENSE VOUCHERS

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. All expense vouchers presented by the President must be approved by the Finance Committee of the Board of Trustees.

b. All College business expenditures personally incurred by Board members shall be presented to the Board Chairman for signature to authorize reimbursement.

c. Each Board member will designate to the Chairperson of the Board up to two major conferences, conventions, meetings or workshop he/she wishes to attend during the academic year.

d. The only exception to the above limitation shall be when a Board member holds office in a duly recognized county, junior or community college organization and his/her attendance at meetings, conferences, etc., of such organization is required in the performance of his/her office therein. In this event, the Chairperson may approve attendance at additional meetings.

e. All College day or overnight travel and related expenses incurred by Board members must be approved by the Finance Committee or the Board Chairman prior to reimbursement.

ATTACHMENTS: No

Revised: 9/83
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-7 CREDIT CARD LIMITATION

REFERENCE: N.J.S.A. 18A:64A-12(p)

a. The voucher system shall generally be used to control and reimburse personnel for expenses authorized and incurred while serving as an agent of the College.

b. No College credit cards are to be issued for the use of any College employee or officer except that:

The President is authorized to maintain one such card for his official use, restricted to his signature alone.

ATTACHMENTS: No

Approved: 11/7/77
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 3-8 PURCHASE AND CONSUMPTION OF ALCOHOLIC
BEVERAGES - PAYMENT PROHIBITED**

REFERENCE:

a. The expenditure of public funds of the College for the purchase of or the payment for alcoholic beverages is prohibited.

b. It shall be the responsibility of the individual board member, staff person or student to pay for his or her own alcoholic drink while attending a meeting or conference for educational purposes or for the benefit of the College.

ATTACHMENTS: No

Approved: 1/11/78

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 3-9 AUTHORIZATION OF SIGNATURES FOR
EXPENDITURES**

REFERENCE: N.J.S.A. 18A:64A-12

a. The President and the Comptroller are authorized to disburse payment of expenditures jointly for all manual disbursements.

b. In the absence of either the President or the Comptroller the authorized alternate signature is:

1. For the President the alternate is the Vice President.
2. For the Comptroller the alternate is the Director of Business Affairs.

c. The Comptroller is authorized to obtain a facsimile plate of his signature to be imprinted on all manual and computer generated disbursements under three thousands dollars (\$3,000) by the College.

ATTACHMENTS: No

Approved: 7/9/79
Revised: 11/2/81
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-10 SALARY SUPPLEMENTS

REFERENCE:

a. When institutional priorities cannot be realistically accomplished through existing personnel and/or resources, an employee may be granted supplementary pay for work performed above and beyond the employee's normal duties.

1. The tasks to be performed shall be delineated, along with a timetable for completion and what the outcomes will be.

2. The benefits to the institution must be presented.

3. The individual recommended must be qualified for the supplementary assignment and be recommended through appropriate administrative channels.

4. Work to be performed by a person granted a supplement is not to be part of the individual's job description and contract responsibility.

5. The compensation, based on a pro-rated calculation, shall not exceed the salary the individual is receiving for his/her contractual responsibilities.

6. For consistency, where supplements are to be granted for administrative positions, the total compensation of base and supplement shall not exceed the maximum salary allowable for that level.

b. Employee supplements in excess of \$3,000 on an annual basis require the approval of the Board of Trustees.

ATTACHMENTS: No

Approved: 8/21/80

Revised: 12/3/80

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-11

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-12 PURCHASING AND COLLEGE CONTRACTS

REFERENCE: N.J.S.A. 18A:64A-12(l)

The Board of Trustees endorses the provisions of the “County College Contracts Law” and directs the President to develop appropriate regulations to ensure that the purchasing functions of the College are implemented in accordance with N.J.S.A. 18A:64A-25.1 *et seq.*

ATTACHMENTS: Yes

Approved: 3/15/83

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-13 BOARD POLICY ON LEGAL RESOURCE UTILIZATION

This Policy provides principles to be followed by Essex County College concerning the retention of outside legal counsel.

1. Except as required by insurance, the Board authorizes the President to accept recommendations by the General Counsel for retention of Outside Counsel. "Outside Counsel" is defined as those attorneys who are not employees of the College. All engagements of Outside Counsel to provide services must be consistent with County College Contracts Law and the College Purchasing Manual. No engagement of Outside Counsel where the services to be provided are estimated to be in excess of \$5000 may be commenced without approval of the Board of Trustees or its Executive Committee (subject to ratification by the full Board). Any resolution by the Board to approve an engagement must include a provision setting forth a compensation amount "not to exceed" without further Board approval and must be accompanied by an engagement letter setting forth the fees and services to be provided.
2. The work of Outside Counsel shall be overseen by Essex County College Office of the General Counsel ("ECCOGC"), and General Counsel will provide regular updates to Board Counsel, except on those matters which require that Board Counsel oversee the work due to: (1) a conflict of interest (as defined in the Rules of Professional Conduct) in the ECCOGC; (2) vote by a majority of the Board of Trustees that a matter should be overseen by Board Counsel, which will be reflected in the resolution approving the retention of Outside Counsel.
3. Invoices must be sent to ECCOGC (or Board Counsel, when required) on a monthly basis, within the first thirty (30) days of the following month and should be transmitted via e-mail and hard copy to the General Counsel, or Board Counsel in those matters overseen by Board Counsel. All bills must be sent to, and approved by the General Counsel, or Board Counsel on those matters overseen by Board Counsel. In providing services to the College, outside counsel must acknowledge the Board of Trustees right to refuse payment for invoices which are submitted late.
4. Board Counsel

The attorney or firm assigned as Board Counsel shall not be considered "Outside Counsel" as that term is used in this policy. Board Counsel shall attend all Board meetings and may attend Board Committee meetings, or other events or functions as desired by the Board and provide counsel during (or in connection with) such meetings, events, or functions.

5. RFQ for Outside Counsel and Board Counsel

In every year ending in an odd number, Essex County College will publish a Request for Qualification (RFQ) for the various areas of law for which there is a possibility the College would need outside counsel legal services, including Board Counsel. The responses formulate a referral list for the College to choose outside counsel, if the need arises, based on the respondent's demonstrated competence and qualifications to perform the legal services for a fair and reasonable price. Inclusion of a law firm or attorney on the referral list does not guarantee that law firm or attorney an engagement for services. The College reserves the right to engage a firm not on the referral list.

6. Requirement to Assent to Terms

All Outside Counsel engaged to perform services by Essex County College shall be provided a copy of this policy and any related College Regulations, and to the extent permissible by law, shall acknowledge and agree to the terms set forth in those documents.

ATTACHMENTS: No

Approved: 1/23/2018

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 3-14 HONORARIA

REFERENCE: N.J.S.A. 18A:64A-12(j)

The President may approve honoraria not to exceed \$3,000 per program. Any honorarium in excess of \$3,000 must receive prior approval of the Board of Trustees.

ATTACHMENTS: No

Approved: 8/1/73
Revised: / /80
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-1 RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-2

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-3 POSITION DESCRIPTION

REFERENCE:

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-4 AFFIRMATIVE ACTION POLICY

REFERENCE: N.J.S.A. 18A:64A-12(o)

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-5 CAREER DEVELOPMENT

REFERENCE: N.J.S.A. 18A:60-10

In order to provide a mechanism for improving the quality of the learning environment and the professional development of employees, the College will implement a career development program. The Board of Trustees and the President in connection with the Faculty Association and other appropriate bargaining units, and in accordance with labor contracts and agreements, shall establish a formal procedure for the career development of all members of the professional staff including, but not limited to a systematic and regular evaluation for the purpose of identifying deficiencies, extending assistance for their correction, and improving instruction.

ATTACHMENTS: No

Initiated: 11/ /94
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 4-6 GRANTING OF MULTI-YEAR CONTRACTS
TO MEMBERS OF PROFESSIONAL STAFF
NOT HOLDING ACADEMIC RANK**

REFERENCE: N.J.S.A. 18A:60-14; N.J.A.C. 9A:7-4.1 et seq.

WHEREAS: The Board of Trustees of Essex County College desires to comply fully with N.J.S.A. 18A:60-14 and N.J.A.C. 9A:7-4.1 et seq., and

WHEREAS: The Board recognizes its obligation to establish a formal procedure for considering and approving the offering of multi-year contracts and for determining the length of said contracts, the Board therefore has adopted this policy dealing with A-328:

- a. N.J.A.C. 9A:7-4.1 et seq. shall be incorporated into this statement.
- b. For the purpose of the application of N.J.S.A. 18A:60-14, a member of the “professional staff” shall be:
 1. A full -time employee of Essex County College, and
 2. One who does not have concurrent academic rank, and
 3. One who serves in a position requiring at least a Bachelor’s Degree or its equivalent, and
 4. One whose salary is not derived in whole or in part from restricted sources such as Federal, State and private grants.

ATTACHMENTS: No

Revised: 9/ /97

Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-7 PROFESSIONAL LEAVES OF ABSENCE

REFERENCE: N.J.S.A. 18A:64A-12(f)

Each member of the professional staff of the College who is granted a leave of absence in order to pursue more formal education or to participate in some activity that will advance the interests of Essex County College shall be required to submit, at least two weeks prior to returning from said leave, a detailed activity report to the President. Said report must delineate specific accomplishments and ways in which the activities have increased the individual's professional expertise. The President's acceptance of the report is essential before the employee will be permitted to return from leave. Upon request by the Board of Trustees, the President may be required to submit this report to the Board for its review.

ATTACHMENTS: No

Approved: 9/3/75
Revised: 9/ /97
Revised: 5/5/05

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 4-8 CRITERIA FOR EXTENDED MAXIMUM
(FACULTY COMPENSATION)**

REFERENCE: N.J.S.A. 18A:64-12(f)

a. The following criteria, together with procedures negotiated with the Faculty Association, shall be applicable for determining whether the extended maximum may be granted:

1. Excellence in the teaching/learning relationship as evidence by class observations, peer evaluation, student evaluation, and evaluation by the appropriate Dean or the Dean's designee;

2. Evidence of consistent departmental and College-wide service as demonstrated by committee work, program development, and related activities;

3. Carrying out other professional activities without special compensation from the College, over and above that which is usually expected, such as the following:

- a. Publications and/or scholarship
- b. Activities in professional organizations
- c. Curriculum development
- d. Relevant educational growth evidenced through course work
- e. Active participation in community service
- f. Active participation in professional conferences
- g. Active service to the College
- h. Grantsmanship/proposal development
- i. Student services activities

ATTACHMENTS: No

Approved: 3/30/70

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-9

DISCRETIONARY SABBATICALS

REFERENCE:

N.J.S.A. 18A:64A-12 [Expired 8/30/81]

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-10 PERSONNEL DECISIONS

REFERENCE: N.J.S.A. 18A:64A-12(o)

The President shall establish regulations and procedures maintaining the opportunity for each recognized employee negotiations unit to have input in personnel matters relative to their membership. The President shall also establish regulations and procedures assuring the timely, orderly and accurate processing of information with regard to all personnel decisions.

ATTACHMENTS: No

Approved: 7/ /79
Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-11 PERSONNEL APPOINTMENTS AND REAPPOINTMENTS

REFERENCE: N.J.S.A. 18A:64 A-12(f)

- a. The President is authorized to hire budgeted personnel except in the following categories, where he shall nominate to the Board persons for appointment or reappointment action:
 - 1. Administrative positions;
 - 2. Faculty positions;
 - 3. Professional positions above Level II;
 - 4. Multi-year appointments and reappointments; and
 - 5. Appointments of Administrators or Professionals in acting capacities for longer than six months.

- b. Changes in employment status as specified below shall be brought before the Board of Trustees for action:
 - 1. Granting of Tenure
 - 2. Granting of unpaid leaves of absence to Faculty and Administrators
 - 3. Promotions of Administrators and Faculty and Professionals.

- c. The President is authorized to place any employee on a paid administrative leave, pending the next meeting of the Board of Trustees. The President shall inform the Board of Trustees within two (2) business days of beginning of any paid administrative leave or other disciplinary action and the reasons therefore. The Board of Trustees shall decide at the next scheduled meeting whether (based on the President's recommendation) to continue the administrative leave, whether such leave should be paid, and the duration of the leave. Appropriate notice must be provided to any affected employee.

- d. No commitment for employment in accordance with the above provisions shall be given nor shall any employee commence his/her work schedule without Board of Trustees approval, except that the President shall have the power to make temporary/acting appointments for period of six months or less. At the end of the temporary or acting appointment, the President shall recommend to the Board of Trustees a disposition of the acting/temporary employee's status at the meeting prior to the expiration of the appointment.

- e. The President may accept the resignation of any employee who was appointed in a temporary or acting capacity. If an employee was formally approved by the Board of Trustees, his/her resignation must be accepted by the Board.
- f. To the extent any other Board Policy is inconsistent with the foregoing, such policy shall be abrogated.

ATTACHMENTS: No

Approved: 11/02/81

Amended: 1/27/82

Revised: 11/ /96

Revised: 11/21/17

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-12

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 4-13 EXTERNAL COMMUNICATIONS

- A. The President, or his or her designee, serves as the official spokesperson for Essex County College. No other individual may speak for the College unless authorized by the Board of Trustees or the President. All media communications and requests from outside the College will be directed to the Office of the President who may then forward the matter to the appropriate Vice President or Administrator. Following an initial contact by the media, it may be appropriate for other College personnel to conduct the necessary business, as directed. All publicity concerning Essex County College and its activities will be released through the Office of the President, with the exception of student club/organization publicity, which will be approved in conjunction with and released by Student Life and Activities Office. All information for release to press, radio, television, and web entities must be cleared by the Office of the President or the Chairperson of the Board of Trustees before dissemination. As required, the President and the Board of Trustees will be kept informed of all communications with outside media agencies and offices conducted on behalf of the College. Any deviation from this policy shall be cleared through the President or the Executive Committee of the Board of Trustees.

- B. Board members who are seeking data, records or other material or information from the College administration are to do so by preparing in writing a request to the President.

- C. Inquiries received by Board members from College employees, students or members of the public shall be referred to the President.

ATTACHMENTS: NO

Approved: 11/21/17

Revised: 12/19/17

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-1 ATTENDANCE POLICY

REFERENCE: N.J.S.A. 18A:64A-12(o)

Attendance at classes by students is considered an integral and vital part of the learning process. Faculty members are required to maintain accurate_attendance records. Regulations will be developed to implement this policy.

ATTACHMENTS: No

Approved: 1/22/75

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 5-2 PRIVACY RIGHTS OF PARENTS AND
STUDENTS**

REFERENCE: *Family Educational Rights and Privacy Act.*
20 U.S.C. 1232(g)

a. The College will fully comply with the *Family Educational Rights and Privacy Act*, which is designed to provide safeguards to parents and students through the application of fair information practice.

b. Regulations adopted by the College and procedures followed will be consistent with requirements of the Act.

Approved: 12/ /76
Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-3 PLACEMENT TESTING

REFERENCE:

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-4 TUITION AND FEE-FREE COMMUNITY SERVICE COURSES

REFERENCE: N.J.S.A. 18A:64A- 12(p)

a. Tuition and fee-free community service courses may be offered when the President determines that such offerings meet the criteria below, and when he determines that doing so is in the best interests of the College:

1. Such offerings assist in the College's fulfillment and enhancement of its community service philosophy;
2. The ability to offer such opportunities to the community on a no-fee basis would be advantageous in enhancing greater participation; and
3. Such participation would earn State aid revenue for the College to cover any and all indirect costs, subject to Auditing and Accounting Standards for County Colleges.

ATTACHMENTS: No

Approved: 3/ /74

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-5 TUITION WAIVER

REFERENCE: N.J.S.A. 18A:64A-12(o)

The Board empowers the President to establish a specific tuition-free allocation of resources not to exceed 300 FTE per year to be assigned to such programs as he deems necessary for meeting the community needs.

ATTACHMENTS: No

Approved: 9/6/78

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-6 SENIOR CITIZEN TUITION

REFERENCE: N.J.S.A. 18A:62-3

It is the policy of Essex County College to waive tuition fees for any senior citizen who wishes to register in College courses. Any person ~~65~~ 60 years of age or older, who are residents of Essex County, may enroll in any regularly scheduled College courses on a space-available basis without the payment of any tuition charges, provided that there is the minimum number of regularly registered students required for the course. Additionally, it shall be within the discretion of the Board of Trustees of the College to determine whether Senior Citizens shall pay registration fees.

ATTACHMENTS: No

Approved: 11/ /94

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 5-7 STUDENT ASSISTANCE

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. Essex County College shall actively participate in the solicitation of funds for student assistance from Federal, State and private sources and effectuate the necessary regulations and procedures to provide for the proper and efficient administration of said funds; and

b. The College shall award and disburse funds to qualified applicants without regard to race, creed, color, religion, age, national origin gender and/or sexual orientation and in full compliance with the guidelines set forth by the funding agency.

ATTACHMENTS: No

Revised: 9/83
Revised: 8/95
Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 6-1 CROSS REGISTRATION WITH OTHER
 INSTITUTIONS**

REFERENCE: N.J.S.A. 18:64A-12(j)

 a. The President is authorized to enter into cross-registration agreements with other institution of higher education.

ATTACHMENTS: No

Approved: 7/ /75

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-2 EMERITUS STATUS

REFERENCE: N.J.S.A. 18A:64A-12(o)

The Board of Trustees may grant emeritus status to a retiring President, dean, or professor who meets the following criteria:

1. The title “Emeritus” is to be granted upon recommendation by the President. The President, dean or professor must meet the minimum service requirement of fifteen or more years in one or more public educational institutions in the State of New Jersey.

2. The President, dean or professor must have possessed the title or rank for which the individual is to receive emeritus status for a minimum of five years preceding the date of retirement.

ATTACHMENTS: No

Approved: 9/3/75

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-3 ADVISORY COMMITTEES

REFERENCE: N.J.S.A. 18A:64A-12 *et seq.*

a. Advisory Committees to the Board of Trustees shall be appointed as provided in the Board's By-Laws, for a two year term, and shall be eligible for reappointment at the pleasure of the Board.

b. Advisory Committees for academic programs and to various College departments shall be named by the President according to regulations he shall develop.

ATTACHMENTS: No

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-4

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-4.1

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-5

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6.5

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

**BP 6-6 ESTABLISHMENT OF BRANCH CAMPUSES
OR EXTENSION CENTERS**

REFERENCE: N.J.S.A. 18A:64A-12(o)

a. The College desires to provide educational services to all areas of the County, and has determined that this can often be best accomplished through the establishment of branch campuses or extension centers.

b. The President is empowered to take whatever action may be necessary to plan, develop and implement such programs, subject to requirements of the appropriate state and federal laws, regulations and guidelines.

ATTACHMENTS: No

Approved: 9/6/78

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-7 CURRICULUM AND EDUCATIONAL PROGRAMS

REFERENCE: N.J.S.A. 18A:64A-12 *et seq.*

The institution will develop, implement and review degree, certificate and non-credit programs and courses which respond to the needs of county residents.

The College's mission statement, as approved by the Board, will provide guidance and direction for a development and approval process consistent with contractual agreements and the principles of academic freedom. The Board authorizes the implementation of courses and programs when they have been reviewed and recommended by the appropriate committees and administrators and they have been approved by the President.

The Board shall periodically review both the College's mission and the curriculum and programs offered by the institution to fulfill it.

ATTACHMENTS: No

Initiated: 11/ /96

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-8

RESERVED

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-9 GRADING POLICY

REFERENCE: N.J.S.A. 18A: 64A-12 (o)

a. The College will take all steps necessary to insure that the standards used for grades awarded to students are similar to the standards for grades which are awarded in four-year institutions for the level and quality of academic work produced by the student.

b. The College will maintain academic articulation with four-year receiving institutions as a control over levels of ~~course~~ student achievement, and will periodically assess grade correlation.

ATTACHMENTS: No

Approved: 9/6/78

Revised: 11/2/81

Revised: 9/ /97

ESSEX COUNTY COLLEGE

BOARD POLICY

BP 6-10 CABLE TELEVISION

REFERENCE: N.J.S.A. 18A: 64A-12(d)

The Board of Trustees delegates to the President or his designee(s) the authority to plan, initiate, and conduct joint operations with authorized Cable Television outlets so that increased educational services may be made available to residents of Essex County.

ATTACHMENTS: No

Approved: 9/6/78

Revised: 9/ /97