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Section:

VIII.1.1

Title:

Policy Framework

Effective Date:

July 9, 2013

Approved By:

Board of Trustees

Responsible Unit:

Office of General Counsel, ogc@tcnj.edu

History:

Approved by Board of Trustees on December

8, 2009

Related Documents:

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."

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."

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."

4. The College of New Jersey Board of Trustees Bylaws

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.

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.

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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.

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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

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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

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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

Approved by the Board of Trustees on December 8, 2009.