

BOARD OF TRUSTEES OF MIDDLESEX COUNTY COLLEGE

Minutes of the Meeting of May 27, 2015

The scheduled meeting of the Board of Trustees of Middlesex County College was held at 9:00 a.m. in the Boardroom of Chambers Hall, located on the College campus. Members present were: Mmes. Palumbo and Power and Messrs. Antisell, Mulkerin, Oras, Raja, Sica and Tighe. Mmes. Blanco-Jimenez and Morana and Messrs. Finkelstein and Lisicki were absent. Also present were President La Perla-Morales, Mr. Hoffman, Ms. D'Aloisio and several staff members.

In compliance with the "Open Public Meetings Act" of the State of New Jersey, adequate notice of this meeting was provided as follows:

- (a) On November 18, 2014, advance written notice of this meeting was posted in the lobby of Chambers Hall.
- (b) On November 18, 2014, advance written notice of this meeting was mailed to the Home News Tribune, 92 East Main Street #202, Somerville, New Jersey.
- (c) On November 18, 2014, a copy of this advance notice of the meeting was filed with the Clerk of the Middlesex County Board of Chosen Freeholders.
- (d) On November 18, 2014, a copy of this advance notice was filed with the President of Middlesex County College.
- (e) Any individual who has requested notice of this meeting has been forwarded a copy of the notice of such meeting.

Chairman Power led the Pledge of Allegiance.

MINUTES

Mr. Tighe moved, seconded by Mr. Sica, that the scheduled meeting minutes for April 22, 2015, be adopted as presented.

After discussion, the motion was approved.

FACILITIES COMMITTEE

Mr. Antisell moved, seconded by Mr. Sica, for adoption of resolutions 1a through 18:

1. BE IT RESOLVED that based on the recommendation of the Executive Director of Facilities Management and the Vice President for Finance and Administration payment be authorized to the following firms:

a. L. R. Kimball for Phase III consulting architectural services in conjunction with the South Hall Academic Science building in the amount of \$22,529.34.

| | |
|-------------------|---------------------|
| Contract Amount | \$190,950.00 |
| Previous Payments | 9,547.50 |
| Payment #2 | <u>22,529.34</u> |
| Balance | <u>\$158,873.16</u> |

b. Kleinfelder for environmental consulting services for UST removal in the amount of \$2,508.09.

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|-------------------|---------------------|
| Contract Amount | \$247,061.13 |
| Previous Payments | 230,630.12 |
| Payment #59 | <u>2,508.09</u> |
| Balance | <u>\$ 13,922.92</u> |

c. Atlantic Engineering Labs for construction testing and laboratory services for the South Hall Academic Science building project in the amount of \$2,040.00.

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| Contract Amount | \$30,000.00 |
| Payment #1 | <u>2,040.00</u> |
| Balance | <u>\$27,960.00</u> |

d. Atlantic Engineering Labs for construction testing and laboratory services for the West Hall Student Services building project in the amount of \$840.00.

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| | Contract Amount | \$30,000.00 |
| | Payment #1 | <u>840.00</u> |
| | Balance | <u>\$29,160.00</u> |
| e. | <u>Vanas Construction Co., Inc.</u> for general contractor services in conjunction with the South Hall Academic Science building in the amount of \$705,088.00. | |
| | Contract Amount | \$14,090,000.00 |
| | Previous Payment | 230,243.00 |
| | Payment #2 | 705,088.00 |
| | Retainage | <u>103,925.00</u> |
| | Balance | <u>\$13,154,669.00</u> |
| f. | <u>RSC Architects</u> for architectural consulting services in conjunction with the Blue Colt Bookstore renovation project in the amount of \$3,325.00. | |
| | Contract Amount | \$9,500.00 |
| | Previous Payments | 3,325.00 |
| | Payment #2 | <u>3,325.00</u> |
| | Balance | <u>\$2,850.00</u> |
| g. | <u>RSC Architects</u> for Phase I architectural consulting services in conjunction with the College Center, Johnson Learning Center, Library, and Chambers Hall Vertical Opening Fire Violations in the amount of \$2,340.00. | |
| | Contract Amount | \$7,800.00 |
| | Payment #1 | <u>2,340.00</u> |
| | Balance | <u>\$5,460.00</u> |
| h. | <u>Eneractive Solutions</u> for Phase II construction commissioning services for the West Hall Student Services building in the amount of \$1,000.00. | |

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|----|--|------------------------|
| | Contract Amount | \$18,150.00 |
| | Previous Payments | 2,000.00 |
| | Payment #3 | <u>1,000.00</u> |
| | Balance | <u>\$15,150.00</u> |
| i. | <u>Eneractive Solutions</u> for Phase II construction commissioning services for the South Hall Academic Science building in the amount of \$1,000.00. | |
| | Contract Amount | \$24,800.00 |
| | Previous Payments | 2,000.00 |
| | Payment #2 | <u>1,000.00</u> |
| | Balance | <u>\$21,800.00</u> |
| j. | <u>Benjamin R. Harvey Co., Inc.</u> for general contractor services in conjunction with the West Hall Student Services building in the amount of \$382,623.30. | |
| | Contract Amount | \$11,498,500.00 |
| | Previous Payments | 250,255.75 |
| | Payment #3 | 382,623.30 |
| | Retainage | <u>70,319.89</u> |
| | Balance | <u>\$10,865,620.95</u> |
| k. | <u>DMR Architects</u> for Phase III construction observation services for the West Hall Student Services building in the amount of \$8,357.00. | |
| | Contract Amount | \$156,500.00 |
| | Previous Payments | 16,714.00 |
| | Payment #3 | <u>8,357.00</u> |
| | Balance | <u>\$131,429.00</u> |
| l. | <u>Open Systems Integrators, Inc.</u> for installation services for Video Surveillance System in the amount of \$2,607.75. | |

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|-------------------|---------------------|
| Contract Amount | \$156,514.00 |
| Previous Payments | 143,325.55 |
| Payment #4 | 2,607.75 |
| Retainage | <u>7,680.70</u> |
| Balance | <u>\$ 10,580.70</u> |

- m. Atlantic Engineering Labs for construction testing and laboratory services for the South Hall Academic Science building project in the amount of \$2,700.00.

| | |
|-------------------|--------------------|
| Contract Amount | \$30,000.00 |
| Previous Payments | 2,040.00 |
| Payment #2 | <u>2,700.00</u> |
| Balance | <u>\$25,260.00</u> |

- n. L. R. Kimball for Phase III consulting architectural services in conjunction with the South Hall Academic Science building in the amount of \$12,221.00.

| | |
|-------------------|---------------------|
| Contract Amount | \$190,950.00 |
| Previous Payments | 32,076.84 |
| Payment #3 | <u>12,221.00</u> |
| Balance | <u>\$146,652.16</u> |

2. WHEREAS, The State of New Jersey has cooperative purchasing services available under N.J.S.A. 18A:64A-25.9 of the County College Contracts Law and N.J.S.A. 52:34-6.2b(3) applicable to the College;

NOW, THEREFORE, BE IT RESOLVED, That the following contract(s) under \$34,100 be authorized under the provisions of cooperatives currently in effect:

| <u>COOPERATIVE</u> | <u>CONTRACT NUMBER</u> | <u>COMPANY</u> | <u>DESCRIPTION</u> | <u>AWARD</u> |
|--------------------|------------------------|-----------------|---------------------|--------------|
| NJSC | 77560 | SHI | Computer Software | \$ 20,294.84 |
| MRESC | 12/13-10 | Gillespie Group | Carpet Installation | \$ 13,099.16 |

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NOW, THEREFORE, BE IT RESOLVED, That the following contract(s) over \$34,100 be authorized under the provisions of cooperatives currently in effect:

| <u>COOPERATIVE</u> | <u>CONTRACT NUMBER</u> | <u>COMPANY</u> | <u>DESCRIPTION</u> | <u>AWARD</u> |
|--------------------|------------------------|----------------|--------------------|--------------|
| NJSC | 75440 | Dell Marketing | Computer Hardware | \$ 78,312.97 |

2. BE IT RESOLVED, That based on the recommendation of the Director of Purchasing and Inventory and the Vice President for Finance and Administration a contract for purchases and services classified as exempt under the provision of N.J.S.A. 18A:64A-25 et seq. be made to the following firm(s):

OCLC, Dublin, OH for subscription services and interlibrary loan service for the amount of \$12,572.50.

NJEdge.Net, Newark, NJ for internet access for the amount of \$143,364.00.

NJEdge.Net, Newark, NJ for VALE full text databases for the not-to-exceed amount of \$67,000.00.

4. BE IT RESOLVED, That based on the recommendation of the Director of Purchasing and Inventory and the Vice President of Finance and Administration an award be made to the following firm(s) pursuant to a fair and open process:

- a. Special Quote # 10209 for fleet vehicle maintenance from a total of 3 responses received:

Marczaks, Inc., Metuchen, NJ for the not-to-exceed amount of \$25,300.00.

- b. Special Quote # 10211 for advertising from a total of 1 response received:

Kenneth Jaffe Inc., for the not-to-exceed amount of \$28,000.00.

- c. Special Quote # 10212 for interpreters services from a total of 24 responses received:

All World Language Consultants Inc., Rockville, MD for the amount of \$74.50 per hour plus mileage.

ASL Interpreter Referral Service, Inc., Somerset, NJ for the amount of \$90.00 per hour.

Mary Bacheller, Staten Island, NY for the amount of \$65.00 per hour plus mileage.

Bilingual Professional Agency Inc., Brooklyn, NY for the amount of \$77.73 plus mileage.

Kathy Ferejohn, Middletown, NJ for the amount of \$80.00 per hour plus mileage.
Sharon Ferraro, South Plainfield, NJ for the amount of \$70.00 per hour.
Marci Friedman, Colonia, NJ for the amount of \$65.00 per hour.
Dena Hazen, Union Beach, NJ for the amount of \$80.00 per hour.
Indus Translation Services Inc., Edison, NJ for the amount of \$95.00 per hour.
M. R. Jackowsky, Barnegat, NJ for the amount of \$65.00 per hour.
Laurellie Jacobs Martinez, Maplewood, NJ for the amount of \$70.00 per hour plus mileage.
Melissa Jenkins, Neptune, NJ for the amount of \$80.00 per hour plus mileage.
Cheryl Lepple-Huber, Manasquan, NJ for the amount of \$90.00 per hour plus mileage.
Kimberly Muller, Somerville, NJ for the amount of \$70.00 per hour plus mileage.
Natural Languages LLC, Jersey City, NJ for the amount of \$84.97 per hour plus mileage.
Kathleen Nilsson, Middlesex, NJ for the amount of \$70.00 per hour plus mileage.
Cynthia Piana, Avon-By-The-Sea, NJ for the amount of \$75.00 per hour plus mileage.
Monica Rodriguez-Nativo, Rahway, NJ for the amount of \$70.00 per hour plus mileage.
Audrey Rosenberg, Jamesburg, NJ for the amount of \$70.00 per hour.
Bryon Rowe, New Brunswick, NJ for the amount of \$60.00 per hour.
Sign Language Resources Inc., Newburgh, NY for the amount of \$85.00 per hour plus mileage.
Katie Sofranko, Roselle, NJ for the amount of \$65.00 per hour plus mileage.
Shari Walton, Kendall Park, NJ for the amount of \$70.00 per hour plus mileage.
Ruth Zagorski, Edison, NJ for the amount of \$65.00 per hour.

d. Special Quote # 10213 for hardware from a total of 1 response received:

Max L Brown Hardware Co., Carteret, NJ for the not-to-exceed amount of \$15,000.00.

e. Special Quote # 10215 for light bulb supplies from a total of 5 responses received:

Griffith Electric Supply Company, Inc., Trenton, NJ for the not-to-exceed amount of \$17,000.00

5. BE IT RESOLVED, That based on the recommendation of the Director of Purchasing and Inventory and the Vice President for Finance and Administration a bid award be made to the following firm(s):

a. Bid # 16-1 for charter bus services from a total of 3 responses received:

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Suburban Trails Inc., New Brunswick, NJ for the not-to-exceed amount of \$40,000.00.

- b. Bid # 16-2 for copier paper from a total of 7 responses received:

Contract Paper Group, Inc., Uniontown, OH for the amount of \$37,291.40.

Paper Mart, Inc., East Hanover, NJ for the amount of \$22,664.17.

Graphic Paper Inc., Central Islip, NY for the amount of \$3,936.55.

Paterson Papers, Paterson, NJ for the amount of \$2,513.25.

WB Mason Co. Inc., Secaucus, NJ for the amount of \$1,300.00.

- c. Bid # 16-3 for construction and lumber supplies from a total of 1 response received:

Feldman Lumber, Brooklyn, NY for the not-to-exceed amount of \$17,000.00.

- d. Bid # 16-6 for plumbing supplies from a total of 1 response received:

Grant Supply division of F.W. Webb Company, Bedford, MA for the not-to-exceed amount of \$20,000.00.

- e. Bid # 16-8 for electrical supplies from a total of 3 responses received:

Monarch Electrical Co., Fairfield, NJ for the not-to-exceed amount of \$30,000.00.

6. BE IT RESOLVED that based on the recommendation of the Director of Purchasing and Inventory and the Vice President for Finance and Administration, a contract amendment be made to the following firm(s):

DMR Architects, Hasbrouck Heights, NJ for revisions to the first and second floor interior partition walls and associated mechanical and electrical systems in conjunction with the West Hall Student Services building project Amendment # 1.

| | |
|---------------------|--------------------------------|
| Contract Amount | \$117,000.00 |
| Amendment # 1 | <u>39,500.00</u> Not-to-Exceed |
| New Contract Amount | <u>\$156,500.00</u> |

7. BE IT RESOLVED that based on the recommendation of the Executive Director of Facilities Management and the Vice President for Finance and Administration a change order be made to the contract with the following firm:

Vanas Construction Company, Inc. for general contractor services required for the relocation and 7'0" extension of the facility due to a field condition conflict with existing underground electrical duct banks in conjunction with the South Hall Academic Science building in the amount of (+) \$26,461.00.

| | |
|--------------------------|------------------------|
| Original Contract Amount | \$14,090,000.00 |
| Change Order #1 | <u>(+) 26,461.00</u> |
| New Contract Amount | <u>\$14,116,461.00</u> |

8. WHEREAS, N.J.S.A. 18A:64A-25.10 authorizes county colleges to establish and enter into a Joint Purchasing Agreement; and

WHEREAS, the Board of Trustees on August 25, 1999 authorized participation in the County College Joint Purchasing Consortium; and

WHEREAS, the Consortium currently requires the consistent supply of electric; and

WHEREAS, Middlesex County College has been requested to serve as the Lead Agency for the participating colleges in the Consortium.

WHEREAS, Middlesex County College has acted as the Lead Agency to solicit and receive bids on behalf of the Consortium.

NOW, THEREFORE BE IT RESOLVED that based on the recommendation of the Director of Purchasing and Inventory and the Vice President for Finance and Administration a bid award be made to the following firm(s):

Bid # 16-7 for retail electric supply service for the New Jersey County College Electric Consortium from a total of 5 responses received:

Constellation New Energy, Inc., Baltimore, MD for the following:

Service for the BGS-FP accounts located in the PSE&G territory: Fixed price of \$0.09850/kWh for a 24-month term, beginning with each account's August 2015 meter read date.

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Service for the BGS-FP accounts located in the ACE territory: Fixed price of \$0.0855/kWh for a 24-month term, beginning with each account's August 2015 meter read date.

Direct Energy Business, Woodbridge, NJ for the following:

Service for the BGS-CIEP accounts located in JCP&L territory: Fixed price of \$0.07435/kWh for a 24-month term, beginning with each account's August 2015 meter read date.

Service for the BGS-CIEP accounts located in the ACE territory: Fixed price of \$0.07434/kWh for a 24-month term, beginning with each account's August 2015 meter read date.

South Jersey Energy Company, Hammonton, NJ for the following:

Service for the BGS-FP accounts located in the JCP&L territory: Fixed price of \$0.08558668/kWh for a 24-month term, beginning with each account's August 2015 meter read date.

9. WHEREAS, Middlesex County College has a need to provide third party renewal services, enhancement and support agreements and technical support as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Ellucian, Inc., Fairfax, VA has submitted a proposal dated April 6, 2015, indicating that it will provide third party renewal services, enhancement and support agreements and technical support for the amount of \$309,444.00; and

WHEREAS, Ellucian, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Ellucian, Inc., has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Ellucian Inc. from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Ellucian Inc. as described herein.

10. WHEREAS, Middlesex County College has a need to acquire food products as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Wegmans Food Markets Inc., Rochester, NY has submitted a proposal dated March 30, 2015, indicating that it will provide food products for the not-to-exceed amount of \$34,000.00; and

WHEREAS, Wegmans Food Markets Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Wegmans Food Markets Inc. has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Wegmans Food Markets Inc. from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Wegmans Food Markets Inc. as described herein.

11. WHEREAS, Middlesex County College has a need to conduct summer camp programs as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is June 29, 2015 through August 21, 2015; and

WHEREAS, Taubenslag Productions LLC, North Brunswick, NJ has submitted a proposal dated April 17, 2015, indicating that it will conduct summer camp programs for the not-to-exceed amount of \$140,000.00; and

WHEREAS, Taubenslag Productions LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Taubenslag Productions LLC has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Taubenslag Productions LLC from making any reportable contributions through the term of the contract,

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NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Taubenslag Productions LLC as described herein.

12. WHEREAS, Middlesex County College has a need to provide software and licensing services as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Perceptive Software LLC, Lenexa, KS has submitted a proposal dated April 6, 2015, indicating that it will provide software and licensing services for the amount of \$25,615.00; and

WHEREAS, Perceptive Software LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Perceptive Software LLC has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Perceptive Software LLC from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Perceptive Software LLC as described herein.

13. WHEREAS, Middlesex County College has a need to provide subscription renewals as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Ebsco Information Services, Birmingham, AL has submitted a proposal dated April 1, 2015, indicating that it will provide subscription renewals for the amount of \$14,000.00; and

WHEREAS, Ebsco Information Services has completed and submitted a Business Entity Disclosure Certification which certifies that Ebsco Information Services has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Ebsco Information Services from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Ebsco Information Services as described herein.

14. WHEREAS, Middlesex County College has a need to conduct summer camp programs as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is June 29, 2015 through August 21, 2015; and

WHEREAS, FYI Creations LLC, Edison, NJ has submitted a proposal dated April 28, 2015, indicating that it will conduct summer camp programs for the not-to-exceed amount of \$13,000.00; and

WHEREAS, FYI Creations LLC has completed and submitted a Business Entity Disclosure Certification which certifies that FYI Creations LLC has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit FYI Creations LLC from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with FYI Creations LLC as described herein.

15. WHEREAS, Middlesex County College has a need to conduct summer camp programs as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

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WHEREAS, the anticipated term of this contract is June 29, 2015 through August 21, 2015; and

WHEREAS, Super Science Programs for Kids, LLC, Hackettstown, NJ has submitted a proposal dated May 2, 2015, indicating that it will conduct summer camp programs for the not-to-exceed amount of \$23,000.00; and

WHEREAS, Super Science Programs for Kids, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Super Science Programs for Kids, LLC has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Super Science Programs for Kids, LLC from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Super Science Programs for Kids LLC as described herein.

16. WHEREAS, Middlesex County College has a need to provide consulting services as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Gartner, Inc., Stamford, CT has submitted a proposal dated April 13, 2015, indicating that it will provide consulting services for the amount of \$28,679.00; and

WHEREAS, Gartner, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Gartner Inc. has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Gartner Inc. from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Gartner Inc. as described herein.

17. WHEREAS, Middlesex County College has a need to acquire ongoing project management and consulting services, website updates and maintenance, advertising management pay per click and ongoing graphic design as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is July 1, 2015 through June 30, 2016; and

WHEREAS, Markations, Yardley, PA has submitted a proposal dated May 12, 2015, indicating that it will provide ongoing project management and consulting services, website updates and maintenance, advertising management pay per click and ongoing graphic design for the amount of \$94,560.00; and

WHEREAS, Markations has completed and submitted a Business Entity Disclosure Certification which certifies that Markations has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Markations from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Markations as described herein.

18. WHEREAS, Middlesex County College has a need to provide consulting services as a Business Entity Disclosure Contract pursuant to the provisions of N.J.S.A. 19:44A- 20.4; and

WHEREAS, the Director Purchasing and Inventory has determined and certified in writing that the value of the acquisition may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is February 25, 2015 through August 31, 2015; and

WHEREAS, Karen Britt Statler has provided consulting services approved by the Board on February 25, 2015; and

WHEREAS, consulting services were included at a level not to exceed \$15,000; and

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WHEREAS, the need for additional services has been identified in the amount of \$17,000 for a not-to exceed total of \$32,000; and

WHEREAS, Karen Britt Statler, has completed and submitted a Business Entity Disclosure Certification which certifies that Karen Britt Statler, has not made any reportable contributions to a political or candidate committee in the State of New Jersey / County of Middlesex in the previous one year, and that the contract will prohibit Karen Britt Statler from making any reportable contributions through the term of the contract,

NOW THEREFORE, BE IT RESOLVED, That the Board of Trustees of Middlesex County College authorizes the Administration to enter into a contract with Karen Britt Statler as described herein.

After discussion, the motion was approved.

FINANCE COMMITTEE

Mr. Mulkerin moved, seconded by Mr. Raja, for adoption of the following resolution:

1. BE IT RESOLVED That the invoice for professional services rendered by the firm of Wilentz, Goldman & Spitzer for the period January 1, 2015 through and including March 31, 2015, be approved for payment in the amount of \$42,552.06.

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|---|--------------------|
| Legal services rendered from January 1, 2015 through and including March 31, 2015 for normal operations of Middlesex County College | \$49,560.00 |
| Less fifteen percent courtesy discount on fees | (7,434.00) |
| Total disbursements from January 1, 2015 through March 31, 2015 | <u>426.06</u> |
| TOTAL | <u>\$42,552.06</u> |

After discussion, the motion was approved.

HUMAN RESOURCES COMMITTEE

Mr. Mulkerin moved, seconded by Mr. Sica, for adoption of resolutions 1 through 7:

BE IT RESOLVED that the following actions be approved pursuant to recommendations by the President and to the provisions of the N.J.S.A. Section 18:A64A-12:

SECTION 1 –MANAGEMENT

MANAGEMENT APPOINTMENT

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGE CODE</u> | <u>ANNUAL SALARY</u> | <u>DATES</u> |
|-------------------|---------------------------------|-----------------|--------------------|----------------------|-------------------|
| Hogan, Anne-Marie | Visual, Performing & Media Arts | Chairperson | 1-226500-9125-1-00 | \$94,170 | 08/17/15-06/15/16 |

MANAGEMENT ADDITIONAL COMPENSATION

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>REASON</u> | <u>BUDGET CODE</u> | <u>PAYMENT</u> |
|------------------|-------------------|---|--------------------|----------------|
| D'Aloisio, Sally | Board of Trustees | Assistant Secretary to the College Board of Trustees FY 15/16 | 1-020000-9129-1-00 | \$3,000 |

MANAGEMENT ADDITIONAL COMPENSATION STIPEND

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>REASON</u> | <u>BUDGET CODE</u> | <u>PAYMENT</u> | <u>DATES</u> |
|--------------------|-------------------|---|--------------------|-----------------|-------------------|
| Ambroziak, Michael | Police | Additional Responsibilities as Acting Chief of Police | 1-070000-9129-1-00 | \$300 per month | 06/01/15-06/30/15 |

MANAGEMENT COMPENSATION SUMMER WORK

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>REASON</u> | <u>BUDGET CODE</u> | <u>PAYMENT</u> |
|--------------------|--|--|--------------------|----------------|
| Abbott, Gary | ESL/Languages & Cultures | Summer Employment 10 days: 06/16/15-07/03/15 | 1-222000-9129-1-00 | \$3,852 |
| Bailey, Nancy | Accounting, Business & Legal Studies | Summer Employment 20 Hrs: 06/29/15-07/13/15 | 1-235000-9129-1-00 | \$1,490 |
| Ferrell, James | Radiography | Summer Employment 6 Weeks: 07/16/15-08/15/15 | 1-214000-9129-1-00 | \$13,262 |
| Groninger, Don | Mathematics | Summer Employment 9 days: 07/20/15-08/12/15 | 1-219000-9129-1-00 | \$4,199 |
| Maciolek, Mary-Pat | Hospitality, Culinary Arts & Dietetics | Summer Employment 70 Hrs: 06/16/15-08/05/15 | 1-234000-9129-1-00 | \$4,331 |
| Muley, Parag | Natural Sciences | Summer Employment 14 days: 06/29/15-08/13/15 | 1-218500-9129-1-00 | \$6,514 |

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| | | | | |
|------------------|--------------------------|--|--------------------|---------|
| Nester, Michael | English | Summer Employment 8 days: 08/03/15-08/13/15 | 1-221000-9129-1-00 | \$3,733 |
| Pearle, Kathleen | History & Social Science | Summer Employment 8 days: 06/16/15-06/29/15 | 1-223500-9129-1-00 | \$3,659 |
| Roy, Richard | ESL/Languages & Cultures | Summer Employment 10 days: 07/01/15-07/16/15 | 1-222000-9129-1-00 | \$3,141 |
| Sabol, Thomas | Engineering Technologies | Summer Employment 5 days: 06/16/15-06/23/15 | 1-238500-9129-1-00 | \$2,279 |

MANAGEMENT LEAVE OF ABSENCE

| | | | |
|--------------------|------------------------|----------------------|-------------------|
| <u>NAME</u> | <u>DEPARTMENT</u> | <u>TYPE OF LEAVE</u> | <u>DATES</u> |
| Battaglia, Raymond | Information Technology | Unpaid | 06/01/15-08/21/15 |

MANAGEMENT PROMOTIONS IN RANK FOR THE 2015/16 ACADEMIC YEAR

| | | |
|----------------|---|---------------------|
| <u>NAME</u> | <u>DEPARTMENT</u> | <u>PROMOTED TO</u> |
| Farrett, Peter | Computer Science and Information Technology | Associate Professor |

MANAGEMENT SEVERANCE COMPENSATION PROGRAM-RETIREMENT RESCINDED

| | | |
|------------------|--------------------|-------------|
| <u>NAME</u> | <u>DEPARTMENT</u> | <u>DATE</u> |
| Goldfarb, Ronald | President's Office | 06/30/15 |

MANAGEMENT MISCELLANEOUS

MANAGEMENT ADDITIONAL COMPENSATION

Each Management employee active on the payroll as of September 15, 2015 shall be paid the amount of \$575.

a) BE IT RESOLVED that the following minimum and maximum salary range for Management be approved for FY 2015/2016.

FY 2015/2016

| <u>GRADE</u> | <u>MINIMUM</u> | <u>I PERCENTILE</u> | <u>MID</u> | <u>II PERCENTILE</u> | <u>MAXIMUM</u> |
|--------------|----------------|---------------------|------------|----------------------|----------------|
| 10 | \$106,448 | \$122,075 | \$137,700 | \$153,327 | \$168,956 |
| 9 | \$92,828 | \$106,317 | \$119,804 | \$133,293 | \$146,780 |
| 8 | \$84,306 | \$96,557 | \$108,810 | \$121,063 | \$133,313 |

| | | | | | |
|---|----------|----------|----------|-----------|-----------|
| 7 | \$76,641 | \$87,793 | \$98,941 | \$110,091 | \$121,239 |
| 6 | \$69,549 | \$79,736 | \$89,926 | \$100,111 | \$110,299 |
| 5 | \$64,437 | \$73,798 | \$83,157 | \$92,518 | \$101,876 |
| 4 | \$59,614 | \$68,286 | \$76,957 | \$85,629 | \$94,300 |
| 3 | \$55,353 | \$63,336 | \$71,318 | \$79,301 | \$87,284 |
| 2 | \$51,098 | \$58,530 | \$65,963 | \$73,396 | \$80,827 |
| 1 | \$44,572 | \$48,653 | \$52,737 | \$56,818 | \$60,901 |

b) BE IT RESOLVED that the following minimum salary range for Chairpersons be approved for FY 2015/2016.

FY 2015/2016

| | |
|---------|-----------|
| Level A | \$94,170 |
| Level B | \$101,092 |

c) BE IT RESOLVED that the following Management Salary listing by approved for FY 2015/2016 beginning with the name **Abbott, Gary** and ending with the name **Wisniewski, Robert**:

| <u>NAME</u> | <u>2015/2016 SALARY</u> |
|----------------------|--------------------------------|
| Abbott, Gary | \$94,170 |
| Abreu, Angelo | \$64,437 |
| Alai, Meghan | \$84,306 |
| Ambroziak, Michael | \$79,736 |
| Bailey, Nancy G | \$113,867 |
| Balint, Ronald | \$95,191 |
| Banyacski, Mark A | \$110,299 |
| Battaglia, Raymond | \$70,977 |
| Berlin, Elaine F | \$65,355 |
| Boelhower, David | \$69,549 |
| Brinson, Marla Dyann | \$106,448 |
| Bucciarelli, Roseann | \$106,448 |
| Cahill, Laura L | \$62,595 |

| | |
|--------------------------|-----------|
| Cardinale, Patricia | \$77,701 |
| Cheng, Chang-Hsin | \$69,549 |
| Chiang, Larry | \$84,138 |
| Clemmons, Brian | \$96,557 |
| Clinton, Veronica | \$92,007 |
| Cole, Richard | \$92,828 |
| Coyle, Donna L | \$55,353 |
| Dalina, Kevin R | \$55,353 |
| Dallavalle, Til | \$69,549 |
| D'Aloisio, Sally | \$68,286 |
| Daly, Patricia C | \$94,266 |
| Davis-Dunning, Audrey C. | \$79,478 |
| DeAngelo, Walter | \$104,040 |
| DiMaio, Judith A | \$76,641 |
| Drost Jr, Donald R | \$139,323 |
| Dunning, John | \$107,207 |
| Edmonds III, Robert | \$81,414 |
| Edwards, David | \$112,616 |
| Evans-Fretwell, Phyllis | \$64,437 |
| Farrett, Peter* | \$96,245 |
| Ferrell, James M | \$96,092 |
| Fricke, David W. | \$112,118 |
| Fuchs, Daniel J | \$107,236 |
| Ghosh, Phalguni | \$63,779 |
| Goldfarb, Ronald C | \$153,706 |
| Gordon, Fannie L | \$137,741 |
| Gormish, Karen | \$55,353 |
| Green, Charita | \$69,549 |
| Groninger, Don S | \$101,093 |
| Hedberg, Pamela | \$62,240 |
| Herron, Jeffrey | \$104,360 |

| | |
|--------------------------|-----------|
| Hetzko, Robin L. | \$69,549 |
| Hogan, Kelly | \$55,353 |
| Hooper, Kimberlee M | \$76,641 |
| Hoppie, Ode | \$64,437 |
| Johnson, April | \$64,437 |
| Jones, Leonard | \$59,614 |
| Kim, Myung-In | \$89,975 |
| Kinkhabwala, Renu | \$69,058 |
| Kruszewski, John Francis | \$83,570 |
| La Perla, Joann | \$206,684 |
| Lam, Mabel C | \$64,437 |
| Larate, Randolph R. | \$88,521 |
| Larkin, Stephen P. | \$113,725 |
| Laureano, Jose | \$84,306 |
| Lederer, Lynn D | \$94,525 |
| Lee, Lynne Ng | \$76,641 |
| Maciolek, Mary Patricia | \$94,778 |
| Madama, Patrick | \$160,816 |
| Maloney, Michael J | \$76,641 |
| Marius Jr., Louis | \$84,306 |
| Marrero, Patricia A | \$97,119 |
| McCormick, Mark | \$160,816 |
| Miller, Ashley M | \$64,437 |
| Monkowski, Carey A. | \$64,437 |
| Montani, Tracey A. | \$78,160 |
| Morton, Bradley | \$124,440 |
| Muley, Parag D | \$101,093 |
| Napurano, Gina Marie | \$103,976 |
| Nester, Michael | \$101,093 |
| Onyschak, Edwin R | \$110,316 |
| Orosz, Theresa E | \$92,828 |

| | |
|----------------------------|-----------|
| Pajauis, Elizabeth B | \$81,267 |
| Palladino, Lauren M. | \$72,254 |
| Patel, Hema | \$58,445 |
| Patton, Lori A | \$114,261 |
| Pean, Claire A | \$126,980 |
| Pearle, Kathleen | \$101,093 |
| Perkins, Susan | \$160,816 |
| Peterson, Thomas J. | \$99,617 |
| Quigley, Charlotte | \$76,641 |
| Reid, Edwin J. | \$121,026 |
| Riccioni, Regina | \$84,306 |
| Rivera, Nalda | \$64,437 |
| Rodriguez, Ana | \$55,353 |
| Rodriguez-Gregory, Lisa V. | \$73,026 |
| Rolling, Alison | \$79,263 |
| Rosa, Evelyn J. | \$84,306 |
| Rosario, Manuel J | \$55,353 |
| Rosario, Brenda L | \$59,614 |
| Rosen, Anita | \$51,098 |
| Roy, Richard R | \$68,052 |
| Sabol, Thomas | \$100,750 |
| Santana, Maxy I | \$55,353 |
| Schaeffer, Bruce B | \$75,478 |
| Shivayka, Thomas | \$59,614 |
| Shurtleff, Joanne T. | \$78,160 |
| Shvedov, Elena | \$78,300 |
| Somers, Lynn M | \$80,707 |
| Sprinitis, Flor D | \$63,175 |
| Stoikovski, Antony | \$57,871 |
| Stowe, Flora M | \$69,549 |
| Strokus, Gwendolyn S | \$59,675 |

| | |
|-----------------------------|-----------|
| Sudnick, Richard E | \$59,614 |
| Thompson, Mark | \$92,828 |
| Tivenan-Mackintosh, Mary Jo | \$76,641 |
| Torres, Jisenia | \$59,614 |
| Troop, Marvetta R | \$72,407 |
| Velez, Martha Y | \$84,306 |
| Vliet, Dennis | \$76,641 |
| Watson, Aretha | \$92,828 |
| Williams-Thomas, Toleather | \$55,353 |
| Wisniewski, Robert J | \$104,737 |

* Salary includes promotional increase

SECTION 2 – FACULTY

FACULTY CHANGE OF STATUS

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGET CODE</u> | <u>ANNUAL SALARY</u> |
|----------------|---------------------------------|---------------------|--------------------|----------------------|
| Heller, Nadine | Visual, Performing & Media Arts | Associate Professor | 1-226500-9110-1-00 | \$86,810 |

FACULTY COMPENSATION

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>REASON</u> | <u>BUDGET CODE</u> | <u>PAYMENT</u> |
|----------------|--------------------------|---------------|--------------------|----------------|
| Hyman, Hillary | ESL/Languages & Cultures | IX-M 504 | 1-222000-9122-1-00 | \$135 |
| Levi, Risa | Dental Auxiliaries | IX-M 533 | 1-213000-9122-1-00 | \$840 |
| Storm, Neil | ESL/Languages & Cultures | IX-M 504 | 1-222000-9122-1-00 | \$180 |

FACULTY LEAVE OF ABSENCE

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>TYPE OF LEAVE</u> | <u>DATES</u> |
|-----------------|--|----------------------|-------------------|
| Arauz, Nodier | Financial Aid | Unpaid | 05/21/15-06/19/15 |
| Sorace, Cynthia | Health, Physical Education, Recreation & Dance | Unpaid | 04/16/15-05/12/15 |

FACULTY PROMOTIONS

5/27/15

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>PROMOTED TO</u> |
|------------------------|--------------------------------|---------------------|
| Archer, Nicholas | History and Social Science | Assistant Professor |
| Becker, Gail | Natural Sciences | Professor |
| Condie, Claire | Natural Sciences | Assistant Professor |
| Misuraca, Joseph | Engineering Technologies | Associate Professor |
| Picardo, Alice | Counseling and Career Services | Associate Professor |
| Sicilia, Brian | Mathematics | Assistant Professor |
| Stickler, Albert Craig | Engineering Technologies | Professor |
| Swanicke, Helena | English | Professor |
| Young, Theresa | Natural Sciences | Associate Professor |

FACULTY COACH SEPARATION

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>BUDGET CODE</u> | <u>DATE</u> |
|------------------|---------------------------|---------------------|-------------|
| Napolean, Tracey | Intercollegiate Athletics | 1-888888-9170-1-000 | 04/13/15 |

FACULTY MISCELLANEOUSFACULTY ADDITIONAL COMPENSATION

Each 12 month Faculty employee active on the payroll as of July 15, 2015 shall be paid the amount of \$575.

Each 10 month Faculty employee active on the payroll as of September 15, 2015 shall be paid the amount of \$575.

a) BE IT RESOLVED that the following minimum and maximum salary range for Faculty be approved for FY 2015/2016:

12 MONTH FACULTY

| <u>RANK</u> | <u>2015/2016 MINIMUM</u> | <u>2015/2016 MAXIMUM</u> |
|----------------------|--------------------------|--------------------------|
| Assistant Instructor | \$65,703 | \$121,654 |
| Instructor | \$72,898 | \$163,424 |
| Assistant Professor | \$86,600 | \$178,300 |
| Associate Professor | \$102,648 | \$195,671 |
| Professor | \$121,128 | \$210,842 |

10 MONTH FACULTY

| <u>RANK</u> | <u>2015/2016 MINIMUM</u> | <u>2015/2016 MAXIMUM</u> |
|----------------------|--------------------------|--------------------------|
| Assistant Instructor | \$54,752 | \$101,379 |
| Instructor | \$60,749 | \$136,187 |

| | | |
|---------------------|-----------|-----------|
| Assistant Professor | \$72,167 | \$148,583 |
| Associate Professor | \$85,539 | \$163,058 |
| Professor | \$100,940 | \$175,702 |

b) BE IT RESOLVED that the following salary listing for American Federal of Teachers Local #1940 be approved for FY 2015/2016 beginning with the name Allen, George and ending with the name Zimmerman, Daniel J.:

| <u>NAME</u> | <u>FY 2015/2016</u> |
|----------------------|---------------------|
| Allen, George | \$101,437 |
| Aloff, Simon I | \$126,808 |
| Altman, Jennifer H | \$72,522 |
| Altman, Susan | \$91,875 |
| Applebee, Jennifer A | \$61,652 |
| Arauz, Nodier A | \$79,275 |
| Archer, Nicholas* | \$72,167 |
| Azzolino, Agnes | \$102,631 |
| Bachmann, Paul | \$91,875 |
| Barnhart, Steven | \$102,944 |
| Becker, Gail* | \$100,940 |
| Bedoya, Gina | \$95,026 |
| Bernarducci, James G | \$99,654 |
| Biswas, Sudipta | \$94,317 |
| Blanco, Virgil H | \$132,167 |
| Bogar, Mary Ann | \$101,892 |
| Bowers, Claudine H. | \$85,703 |
| Brower, Desiree Y | \$99,817 |
| Burke, Francis J | \$134,767 |
| Burton, Rita | \$123,532 |
| Buscemi, Santi V | \$148,886 |
| Carter, Leslie A | \$119,763 |
| Cavanaugh, Brenda A | \$78,922 |
| Christensen, Erin A | \$108,052 |
| Class, Ana N | \$90,482 |

| | |
|----------------------------|-----------|
| Class, Wilson R | \$95,141 |
| Cohn, Ricki Jean | \$100,481 |
| Colburn, Robert W | \$133,033 |
| Condie, Claire A* | \$72,167 |
| Constantino, John | \$65,031 |
| Corrigan, Terrence | \$61,048 |
| Corzo, Aimee | \$85,509 |
| Costanzo, Kathleen | \$78,922 |
| Daidone, Elaine | \$120,879 |
| Daniel, Loretta C. | \$81,750 |
| Dell'Omo, Louis | \$91,567 |
| Delucia, Maria | \$125,209 |
| Delvecchio, Sallie | \$96,901 |
| DeMers, Anna | \$61,048 |
| Deuriarte, Brian | \$91,480 |
| Dey, Timothy | \$78,922 |
| Dhanda, Naresh C | \$89,376 |
| Dikun, Ellen | \$95,141 |
| Dipasquale, Emanuele P | \$128,684 |
| Dolan, Charles P | \$100,012 |
| Drumbore, Keith A. | \$84,724 |
| Dzurisin, Andrew | \$78,581 |
| Edwards, Melissa D | \$86,810 |
| Espinoza-Wulach, Cristobal | \$61,048 |
| Fields, Alexandra L | \$61,652 |
| Finne, James S | \$93,144 |
| Fleming, Phyllis | \$93,144 |
| Foley, Ronald G | \$72,522 |
| Foster, Steven | \$114,915 |
| Fouad, Kimberly | \$61,048 |
| Gardner-Beadling, Donna M | \$77,250 |
| Gaspar, John | \$78,581 |
| Ghiradella, Leah | \$79,571 |

| | |
|---------------------------|-----------|
| Gittens, Andre O | \$101,871 |
| Glazer, Barry M | \$91,567 |
| Gorlin, Margaret A. | \$96,901 |
| Granuzzo, Nanette | \$80,265 |
| Halasinski, Thomas | \$73,599 |
| Harrington, Christine | \$105,469 |
| Harris, Selina | \$93,347 |
| Heller, Nadine | \$86,810 |
| Holbeck, Hope Claire | \$78,921 |
| Holmwood, Jason | \$87,455 |
| Honey 3rd, Patrick J | \$129,656 |
| Hyman, Hillary | \$108,052 |
| Ianuale, Vincent J | \$117,976 |
| Kantor, Irwin H | \$128,243 |
| Kanwal, Virender | \$101,937 |
| Keller, James | \$79,571 |
| Kelton, Saul | \$122,463 |
| Kleinelp Jr, William | \$117,865 |
| Krapels, Kim E | \$82,695 |
| Lamela, Josephine | \$134,064 |
| Lansinger, Janet M. | \$101,937 |
| Lasky-Macpherson, Jane L | \$99,654 |
| Lavey, Brian | \$61,048 |
| Leblanc, Gregory J | \$79,571 |
| Levi, Risa H. | \$77,250 |
| Lick, Dennis | \$109,107 |
| Luck, Patricia A. | \$61,048 |
| Lugo, Angela M | \$105,209 |
| Luis, Melissa | \$61,048 |
| Luke, Reginald | \$131,462 |
| Lynch, Deborah K | \$99,853 |
| Majiduddin, Sheema | \$88,319 |
| Malyk-Selivanova, Natalia | \$87,238 |

| | |
|-------------------------|-----------|
| Mamay, Adriana | \$73,257 |
| Marshall, Benjamin V | \$100,542 |
| Marshall, Maria | \$78,922 |
| Martiney, James | \$61,048 |
| Matagrano, Anthony F | \$109,914 |
| McGlincy, Terry C | \$126,388 |
| Mento Jr., Frank | \$71,633 |
| Miniere, Michael A | \$110,390 |
| Misuraca, Joseph J* | \$85,539 |
| Mitacchione, Aimee P. | \$77,511 |
| Moskowitz, Jack | \$131,700 |
| Murray, John J | \$144,016 |
| Nagarajan-Iyer, Lakshmi | \$72,522 |
| Narayanan, Uma | \$86,810 |
| Nickerson, Jeremy | \$85,961 |
| Oliu, Elisabeth M | \$102,081 |
| Olson, Jerome M | \$107,230 |
| Ostacher, Jane | \$91,567 |
| Paquette, Michael D | \$85,961 |
| Payne, Patricia A | \$118,508 |
| Peleg, Janet | \$108,416 |
| Picardo, Alice* | \$102,648 |
| Picioccio, Nicholas | \$100,426 |
| Poirier, Alane | \$80,265 |
| Popel, George W | \$125,209 |
| Przygoda, Margaret J | \$119,668 |
| Quillen, Crystal | \$61,048 |
| Ramer, Elliot J | \$100,542 |
| Ramer, Iris | \$110,390 |
| Reid, Ethel | \$99,092 |
| Reynolds, Guy A | \$75,402 |
| Roach, Joe | \$114,347 |
| Rodriguez, Karen M | \$84,724 |

| | |
|-------------------------|-----------|
| Rowley, Steven P. | \$108,416 |
| Saborido, Juan M. | \$86,810 |
| Sadowska, Anna | \$111,706 |
| Santelli, Marianne H | \$79,571 |
| Scanlon, Michael | \$108,416 |
| Schatz, Naomi H | \$112,268 |
| Shay, Kathleen B. | \$112,918 |
| Sherman, Alan | \$136,149 |
| Shur, Ellen | \$75,402 |
| Sicilia, Brian D* | \$72,167 |
| Smith Jr., Lafayette N. | \$94,297 |
| Sorace, Cynthia | \$79,571 |
| Spano, Mathew V | \$110,390 |
| Spector, Jeffrey L | \$91,875 |
| Stickler, Albert C* | \$100,940 |
| Storm, Neil | \$84,893 |
| Strugala, Richard A | \$120,884 |
| Swanicke, Helena A* | \$100,940 |
| Tellone, Ralph | \$114,622 |
| Thompson, Richard C | \$61,048 |
| Tobin, April Lynn | \$61,652 |
| Trainor, Diane | \$118,508 |
| Turoscy, Rachel | \$73,238 |
| Vassiliadis, Chariklia | \$79,571 |
| Vega, Victor M | \$129,662 |
| Vera, Stephanie | \$86,384 |
| Volk, Jean | \$116,577 |
| Wachtel, Shirley R. | \$112,268 |
| Waintraub, Jack L | \$136,471 |
| Wathen, Christine | \$85,961 |
| Winchester, Celia M | \$61,652 |
| Young, Theresa* | \$85,539 |
| Zale, Steven | \$108,052 |

Zimmerman, Daniel J
* Salary includes promotional increase

\$118,508

SECTION 3 – CONFIDENTIAL

CONFIDENTIAL MISCELLANEOUS

CONFIDENTIAL ADDITIONAL COMPENSATION

Each Confidential employee active on the payroll as of September 15, 2015 shall be paid the amount of \$575.

a) BE IT RESOLVED that the following minimum and maximum salary range for Confidentials be approved for FY 2015/2016

| <u>Grade</u> | <u>Minimum</u> | <u>Maximum</u> |
|--------------|----------------|----------------|
| D | \$42,819 | \$86,759 |
| C | \$40,370 | \$81,736 |
| B | \$38,027 | \$76,843 |
| A | \$35,682 | \$71,885 |

b) BE IT RESOLVED that the following salary listing for Confidential employees be approved for FY 2015/2016 beginning with the name **Charterina, Linda** and ending with the name **Zalewski, Alicja**:

| <u>NAME</u> | <u>2015/2016 SALARY</u> |
|-------------------|-----------------------------|
| Charterina, Linda | \$40,029 |
| Friedman, Linda | \$45,564 |
| Kennedy, Patricia | \$52,318 |
| Magrino, Karen | \$42,819 |
| Penick, Cheryl | \$40,369 |
| Quiles, Milena | \$40,369 |
| Thaxton, Mark | \$40,369 |
| Varites, Theresa | \$44,599 |
| Zagata, Patricia | \$53,671 |
| Zalewski, Alicja | \$45,072 |

SECTION 4 – NON-ACADEMIC – (UNIT AFFILIATED)

NON-ACADEMIC APPOINTMENT

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGET CODE</u> | <u>ANNUAL SALARY</u> | <u>DATE</u> |
|-----------------|--------------------------|----------------------|--------------------|-------------------------------------|-------------|
| Acevedo, Abdiel | Custodial Services | Custodian | 1-720000-9160-1-00 | \$27,846 +shift diff. \$1.04/hr. | 06/01/15 |
| Justiano, Paola | History & Social Science | Department Secretary | 1-223500-9130-1-00 | \$31,294 | 06/01/15 |

NON-ACADEMIC CHANGE OF STATUS

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGET CODE</u> | <u>ANNUAL SALARY</u> | <u>DATE</u> |
|----------------|--------------------|---|--------------------|--------------------------------------|-------------|
| Rosen, David | Natural Sciences | Evening & Weekend Laboratory Coordinator | 1-218500-9131-1-00 | \$37,571 + shift diff. \$0.75/hr. | 07/01/15 |
| Torres, Ivette | Custodial Services | Boiler Custodian | 1-720000-9160-1-00 | \$29,844 + shift diff. \$0.80/hr. | 06/01/15 |

NON-ACADEMIC LEAVE OF ABSENCE

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>TYPE OF LEAVE</u> | <u>DATES</u> |
|-------------------|--|----------------------|-------------------|
| Ahmed, Sharon | Engineering Technologies | Unpaid | 05/01/15-05/29/15 |
| Albert, Catherine | Hospitality, Culinary Arts & Dietetics | Paid | 05/20/15-06/15/15 |
| Pelc, Daniel | Warehouse & Receiving | Paid | 06/02/15-07/10/15 |

NON-ACADEMIC SEPARATION

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>BUDGET CODE</u> | <u>DATE</u> |
|---------------------------|--------------------|--------------------|-------------|
| Colon-Alvarado, Alejandro | Custodial Services | 1-720000-9160-1-00 | 04/21/15 |
| Tejada-Coletta, Wanda | Police | 1-070000-9165-1-00 | 05/19/15 |
| Ugowe, Felix | Custodial Services | 1-720000-9160-1-00 | 04/15/15 |

NON- ACADEMIC SEVERANCE COMPENSATION PROGRAM-RETIREMENT RESCINDED

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>DATE</u> |
|---------------|------------------------|-------------|
| Baron, George | Facilities Maintenance | 06/30/15 |

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NON-ACADEMIC MISCELLANEOUS

- a) BE IT RESOLVED that the agreement between the Board of Trustees of Middlesex County College and American Federation of State, County and Municipal Employees Union Local #2269 be approved for the period July 1, 2015 through June 30, 2016 and filed in the Office of the President.
- b) BE IT RESOLVED that the agreement between the Board of Trustees of Middlesex County College and the International Brotherhood of Teamsters Local Union No. 11 be approved for the period of July 1, 2015 through June 30, 2016, and filed in the Office of the President

Each AFSCME employee active on the payroll as of July 1, 2015 shall be paid the amount of \$300. (increased from \$165)

TEAMSTER ADDITIONAL COMPENSATION

Each Teamster employee active on the payroll as of July 1, 2015 shall be paid the amount of \$135.

SECTION 5 – NON-ACADEMIC (NON-UNIT AFFILIATED)NON-ACADEMIC APPOINTMENT – PART-TIME/TEMPORARY

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGET CODE</u> | <u>HOURLY</u> | <u>DATES</u> |
|--------------------|---------------------------|-----------------------------|--------------------|---------------|-------------------|
| Alcantara, Michael | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Arocho, Felix | Computer Science & IT | Student Technical Assistant | 1-239500-9141-1-00 | \$8.38 | 05/18/15-06/30/15 |
| Beard-Hutty, Sean | Computer Science & IT | Student Technical Assistant | 1-239500-9141-1-00 | \$8.38 | 05/18/15-06/30/15 |
| Brown, Fritz | Physical Education Center | Lifeguard | 1-192000-9141-1-00 | \$10.00 | 05/18/15-06/30/15 |
| Deverin, Michael | Learning Center | First-Year Assistant | 1-082000-9150-1-00 | \$12.00 | 04/28/15-06/30/15 |
| Ferreira, Carmo | Natural Sciences | Biology Lab Aide | 1-218500-9150-1-00 | \$12.25 | 05/09/15-06/30/15 |
| Friday, Declon | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Huff, Carlton | Mathematics | Senior Tutor | 1-219000-9147-1-00 | \$12.00 | 01/05/15-01/20/15 |
| Ignacio, Alyssa | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Martinez, Sonia | Financial Aid | Financial Aid Assistant | 1-117000-9150-1-00 | \$15.00 | 05/20/15-06/30/15 |
| Nieves, Luis | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Nieves, Melissa | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Olivares, Mara | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/15/15-06/30/15 |
| Patil, Siddharth | Engineering Technologies | Lab Coordinator | 1-238500-9141-1-00 | \$12.00 | 05/05/15-05/31/15 |

| | | | | | |
|-----------------|-----------------------|--------------------|--------------------|---------|-------------------|
| Quinones, David | Facilities Management | Warehouse Person | 1-760000-9150-1-00 | \$12.00 | 04/16/15-06/30/15 |
| Smith, Tatiana | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 05/08/15-06/30/15 |
| Sulaiman, Fizza | Student Activities | Orientation Leader | 3-830300-9320-1-00 | \$10.00 | 06/22/15-06/30/15 |

SECTION 6 – GRANTS AND SPECIAL PROJECTS

GRANTS AND SPECIAL PROJECTS – PART TIME APPOINTMENT

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>POSITION</u> | <u>BUDGET CODE</u> | <u>HOURLY</u> | <u>DATES</u> |
|----------------|-------------------|-------------------|--------------------|---------------|-------------------|
| Mohamed, Magda | Child Care | Teacher Assistant | 5-544016-9150-1-42 | \$8.38 | 05/18/15-06/30/15 |

GRANTS AND SPECIAL PROJECTS – LEAVE OF ABSENCE

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>TYPE OF LEAVE</u> | <u>DATES</u> |
|---------------|--------------------|----------------------|-------------------|
| Medina, Wendy | Perth Amboy Center | Paid | 04/27/15-06/12/15 |

SECTION 7 - PAYROLLS

ACADEMIC ADVISING

BE IT RESOLVED that the following payroll for Academic Advising be approved for the pay period ending May 15, 2015, beginning with the name **Balabkins, Xenia** and ending with the name **Wathen, Christine** for a total amount of \$11,531.25 (budget code 1-195000-9155-1-00):

| <u>NAME</u> | <u>AMOUNT</u> |
|-------------------------|---------------|
| Balabkins, Xenia | \$2,160.00 |
| Bogner, Barbara | 1,338.75 |
| Bouhlas, Arete | 393.75 |
| Buscemi, Elaine | 1,811.25 |
| Christensen, Erin | 67.50 |
| Graber, Patricia | 2,025.00 |
| Kanwal, Virender | 720.00 |
| McMahon, Pattiann | 67.50 |
| Nagarajan-Iyer, Lakshmi | 146.25 |

| | |
|-------------------|--------------------|
| Olson, Jerome | 472.50 |
| Rogalski, Donna | 67.50 |
| Romano, Anthony | 472.50 |
| Somma, June-Ann | 1,102.50 |
| Strugala, Richard | 67.50 |
| Swan, Darren | 270.00 |
| Swan, Evan | 270.00 |
| Wathen, Christine | <u>78.75</u> |
| TOTAL | \$11,531.25 |

DIVISION OF CONTINUING EDUCATION

- a) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name **Masterson, Robert** and ending with the name **Rapolla, Nancy** for the total amount of \$10,858.16 (Budget Code 5-520001-9116-1-33):

CAREER TRAINING CENTER

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|-------------------|-------------------|--------------------|
| Masterson, Robert | 14-15:684 | \$3,208.33 |
| Patel, Anjana | 14-15:685 | 3,234.00 |
| Patel, Anjana | 14-15:686 | 1,207.50 |
| Rapolla, Nancy | 14-15:687 | <u>3,208.33</u> |
| TOTAL | | \$10,858.16 |

- b) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name **De Armas, Raymond** and ending with the name **Tyson, Diana** for the total amount of \$23,365.00 (Budget Code 1-520000-9116-1-00):

CORPORATE EDUCATION AND TRAINING

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|-------------------|-------------------|---------------|
| De Armas, Raymond | 14-15:647 | \$1,800.00 |

| | | |
|-------------------------|-----------------------|----------|
| De Armas, Raymond | 14-15:633 | 1,800.00 |
| Del Vecchio, Michelle | 14-15:641 | 375.00 |
| Denson, Toni | 14-15:630 | 980.00 |
| Jacobsen, John Eric | 14-15:650 | 420.00 |
| Jacobsen, John Eric | 14-15:597 | 480.00 |
| Jones, Jennifer | 14-15:632 | 240.00 |
| Jones, Jennifer | 14-15:631 | 240.00 |
| Mitch, Catherine | 14-15:609 | 1,000.00 |
| Pennington-Joyner, Lori | 14-15:657,658 | 480.00 |
| Pennington-Joyner, Lori | 14-15:642,643,644,645 | 1,680.00 |
| Pennington-Joyner, Lori | 14-15:627 | 120.00 |
| Pennington-Joyner, Lori | 14-15:625 | 240.00 |
| Pennington-Joyner, Lori | 14-15:619 | 240.00 |
| Pennington-Joyner, Lori | 14-15:616 | 240.00 |
| Pennington-Joyner, Lori | 14-15:613 | 240.00 |
| Ruggeri, Adriana | 14-15:637 | 520.00 |
| Ruggeri, Adriana | 14-15:636 | 400.00 |
| Ruggeri, Adriana | 14-15:626 | 240.00 |
| Ruggeri, Adriana | 14-15:624 | 240.00 |
| Ruggeri, Adriana | 14-15:620 | 120.00 |
| Ruggeri, Adriana | 14-15:617 | 120.00 |
| Ruggeri, Adriana | 14-15:614 | 120.00 |
| Ruggeri, Adriana | 14-15:611 | 120.00 |
| Ruggeri, Adriana | 14-15:582 | 450.00 |
| Sadarangani, Komal | 14-15:634 | 800.00 |
| Sadarangani, Komal | 14-15:628 | 300.00 |
| Schafer, David | 14-15:635 | 3,600.00 |
| Tyson, Diana | 14-15:569 | 600.00 |
| Tyson, Diana | 14-15:649 | 600.00 |
| Tyson, Diana | 14-15:638,639,640 | 1012.50 |
| Tyson, Diana | 14-15:612,615,618 | 360.00 |
| Tyson, Diana | 14-15:610 | 750.00 |
| Tyson, Diana | 14-15:606 | 600.00 |
| Tyson, Diana | 14-15:607 | 600.00 |
| Tyson, Diana | 14-15:605 | 337.50 |

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Tyson, Diana

14-15:595,596

900.00**TOTAL**

\$23,365.00

- c) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name Azzarello, Michael and ending with the name Yuschak, Mark for the total amount of \$25,957.00 (Budget Code 1-510000-9116-1-00):

PROFESSIONAL AND COMMUNITY PROGRAMS (ADULT PROGRAMS)

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|--------------------|-------------------|---------------|
| Azzarello, Michael | 14-15:392 | \$640.00 |
| Azzarello, Michael | 14-15:392 | 640.00 |
| Damato, John | 14-15:403 | 2,400.00 |
| Frank, Barry | 14-15:415 | 540.00 |
| Frank, Barry | 14-15:415 | 540.00 |
| Goldman, Lawrence | 14-15:590 | 1,350.00 |
| Jaffe, Azriela | 14-15:421 | 960.00 |
| Joselson, Ruth | 14-15:422 | 1,500.00 |
| Macik, Sharon | 14-15:430 | 630.00 |
| Macik, Sharon | 14-15:430 | 1,260.00 |
| Miller, Michael | 14-15:431 | 270.00 |
| Miller, Michael | 14-15:431 | 270.00 |
| Peluso, Frank | 14-15:437 | 405.00 |
| Phelan, David | 14-15:438 | 540.00 |
| Pucillo, Agnes | 14-15:439 | 600.00 |
| Pucillo, Agnes | 14-15:439 | 720.00 |
| Pucillo, Agnes | 14-15:439 | 1,740.00 |
| Pucillo, Agnes | 14-15:439 | 2,000.00 |
| Roberts, Michael | 14-15:443 | 90.00 |
| Roberts, Michael | 14-15:443 | 90.00 |
| Roberts, Michael | 14-15:443 | 90.00 |
| Sarnouski, Darlene | 14-15:446 | 672.00 |
| Savits, Glen | 14-15:427 | 300.00 |

| | | |
|-------------------|--------------|--------------------|
| Silverstein, Eric | 14-15:543 | 105.00 |
| Silverstein, Eric | 14-15:450 | 525.00 |
| Silverstein, Eric | 14-15:450 | 315.00 |
| Silverstein, Eric | 14-15:450 | 105.00 |
| Slovick, Sharon | 14-15:451 | 600.00 |
| Slovick, Sharon | 14-15:451 | 1,200.00 |
| Thakkar, Nitin | 14-15:556 | 540.00 |
| Vargas, Maria | 14-15:459 | 1,260.00 |
| Vargas, Maria | 14-15:459 | 1,260.00 |
| Victors, Andrew | 14-15:460 | 630.00 |
| Victors, Andrew | 14-15:460 | 630.00 |
| Yuschak, Mark | 14-15:466 | 540.00 |
| | TOTAL | \$25,957.00 |

- d) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name **Edwards, Denise** and ending with the name **Spaziano, Anthony** for the total amount of \$1,173.30 (Budget Code 1-511000-9116-1-00):

PROFESSIONAL AND COMMUNITY PROGRAMS (CULINARY PROGRAM)

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|-------------------|-------------------|-------------------|
| Edwards, Denise | 14-15:653 | \$580.00 |
| Greaves, Desiree | 14-15:419 | 87.50 |
| Krest, Andrea | 14-15:426 | 87.50 |
| Schafer, David | 14-15:307 | 99.24 |
| Schafer, David | 14-15:307 | 99.24 |
| Schafer, David | 14-15:307 | 132.32 |
| Spaziano, Anthony | 14-15:452 | 87.50 |
| | TOTAL | \$1,173.30 |

- e) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name **Esannason, Laura** and ending with the name **Rathod, Alvina** for the total amount of \$5,011.75 (Budget Code 1-510009-9116-1-41):

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PROFESSIONAL AND COMMUNITY PROGRAMS (ALLIED HEALTH GRANT – HPOG)

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|------------------|-------------------|---------------|
| Esannason, Laura | 14-15:555 | \$672.00 |
| Esannason, Laura | 14-15:555 | 168.00 |
| Esannason, Laura | 14-15:151 | 176.00 |
| Esannason, Laura | 14-15:151 | 256.00 |
| Esannason, Laura | 14-15:555 | 420.00 |
| Esannason, Laura | 14-15:555 | 126.00 |
| George, Chrismol | 14-15:544 | 1,448.75 |
| George, Chrismol | 14-15:544 | 1,235.00 |
| Oladeji, Abiodun | 14-15:539 | 125.00 |
| Rathod, Alvina | 14-15:622 | 224.00 |
| Rathod, Alvina | 14-15:622 | 140.00 |
| Rathod, Alvina | 14-15:622 | <u>21.00</u> |
| | TOTAL | \$5,011.75 |

- f) BE IT RESOLVED that the following list of individuals who have successfully completed assignments for the Division of Continuing Education and are entitled to payment from the Division of Continuing Education accounts for May, 2015 be approved for the indicated amounts listed below beginning with the name **Esannason, Laura** and ending with the name **Rathod, Alvina** for the total amount of \$4,603.50 (Budget Code 5-510010-9116-1-41):

PROFESSIONAL AND COMMUNITY PROGRAMS (ALLIED HEALTH GRANT – TAACCCT)

| <u>NAME</u> | <u>CONTRACT #</u> | <u>AMOUNT</u> |
|------------------|-------------------|---------------|
| Esannason, Laura | 14-15:555 | \$672.00 |
| Esannason, Laura | 14-15:555 | 168.00 |
| Esannason, Laura | 14-15:555 | 420.00 |
| Esannason, Laura | 14-15:555 | 126.00 |
| George, Chrismol | 14-15:544 | 1,448.75 |
| George, Chrismol | 14-15:544 | 1,258.75 |
| Oladeji, Abiodun | 14-15:539 | 125.00 |
| Rathod, Alvina | 14-15:622 | 224.00 |
| Rathod, Alvina | 14-15:622 | 140.00 |

Rathod, Alvina

14-15:622
TOTAL

21.00
\$4,603.50

HUMAN RESOURCES

BE IT RESOLVED that the following personnel action in the Department of Human Resources for the Spring, 2015 Adjunct Payroll be approved.

ADJUSTMENTS

| <u>NAME</u> | <u>PREVIOUS SALARY</u> | <u>REVISED SALARY</u> |
|--------------------|------------------------|-----------------------|
| Litt, David | \$2,112 | \$1,810 |
| Lynch, Deborah | \$5,880 | \$7,140 |
| Martinez, Josiane | \$7,040 | \$6,661 |
| Pellicane, Jessica | \$2,940 | \$1,890 |
| Swan, Darren | \$2,211 | \$2,685 |
| Thompson, Nadine | \$2,816 | \$5,632 |

ADDITIONAL COMPENSATION

| <u>NAME</u> | <u>DEPARTMENT</u> | <u>REASON</u> | <u>BUDGET CODE</u> | <u>PAYMENT</u> |
|------------------|--------------------|-----------------------|--------------------|----------------|
| Locke, Deborah | Dental Auxiliaries | Class Coverage-5/4/15 | 1-213000-9116-1-00 | \$201 |
| Thompson, Nadine | Dental Auxiliaries | Class Coverage-5/4/15 | 1-213000-9116-1-00 | \$201 |

After discussion, the motion was approved.

GENERAL

Mr. Sica moved, seconded by Mr. Mulkerin, for adoption of the following resolution:

1. WHEREAS, the College performs an ongoing review of policies; and

WHEREAS, the Board of Trustees of Middlesex County College has determined the Violence Against Women Act and the Campus Sexual Violence Act policy should be updated to the following:

Middlesex County College is committed to providing an institutional environment where all persons may pursue their studies, careers, duties, and activities in an atmosphere free of threat of unwelcome and unwanted sexual actions. It strongly condemns sexual offenses, will not tolerate sexual offenders, and supports those who have been victimized.

Sexual assaults are serious violations of the college's student judicial code, faculty standards and college employee policies. They are crimes under state and federal laws and punishable by fines and/or imprisonment. In addition, these actions are subject to civil suit for damages.

Each academic year new students will receive sexual misconduct information through presentations given during the new student orientation or by other effective methods. Each academic year, new faculty will receive information about sexual misconduct during faculty orientation.

This policy is supplemented by and implemented by Procedure No. 3.28.0.

NOW, THEREFORE, BE IT RESOLVED That the Board of Trustees of Middlesex County College do hereby approve the policy and the procedure as presented

Procedure: Relating to Board Policy 3.28.0

Violence Against Women Act and the Campus Sexual Violence Act

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

Criminal Offenses Required to be Disclosed

Categories of crime statistics are disclosed as follows:

Criminal Homicide, including

- a) murder and non-negligent manslaughter, and

b) negligent manslaughter;

Sexual Assault and Sexual Offenses including

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

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

Dating violence, domestic violence, and stalking.

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

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

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

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

- the attempt or act of rape (sexual intercourse without consent or with a child under the age of thirteen, by a stranger, an acquaintance, or an intimate)
- forced sodomy (forced oral or anal sex)
- forced penetration by a foreign object either animate such as a finger, or inanimate
- sex offenses definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting System of the Federal Bureau of Investigation

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

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

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

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

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

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

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

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

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

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

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

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

“Consent”

- Consent must be clear, verbal, sober, and affirmative.

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

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

The College Sexual Assault Response System

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

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

Notice of Annual Security Report Availability

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

Be an Active Bystander

What is a Bystander?

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

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

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

Safe and Positive Options for Bystander Interventions:

- Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers for intervening, identifying safe and effective intervention options, and taking actions to intervene.
- Believe someone who discloses a sexual assault, abusive relationship, or experience with stalking.
- Be respectful of yourself and others. Make sure any sexual act is okay with your partner if you initiate.
- Watch out for your colleagues, students, and friends. If you see someone on or off campus who looks like they are in trouble, ask if they are okay. If you are afraid to interfere with the situation, call that person over for something very general (“Can I speak to you about the homework from the other day?”). If you see a colleague, student, or friend doing something harmful, say something.
- Speak up. If someone says something offensive, derogatory, or abusive, let them know if you can do so safely, that behavior is wrong and you don't want to be around it. Don't laugh at sexist, racist, or homophobic jokes.

Ways to Reduce Your Risk of Sexual Assault

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

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

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

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

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

Crime Prevention Programs for Students and Employees

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

Middlesex County College Campus Resources:

Counseling and Career Services

Personal Counseling

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

Faculty and Staff Resources

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

Referral

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

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

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

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

Local and State Resources:

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

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

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

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

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

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

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

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

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

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

Public Safety Suggestions

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

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

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

You can help combat crime if you are aware of:

- Suspicious Persons
- Questionable Actions
- Dangerous Conditions

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

- Observe the individual's height, weight, age, complexion, dress, speech, movement, and anything else unusual in appearance or actions. Identify two or more notable characteristics. Compare physical proportions and age with someone you know.
- Observe distinguishing marks, e.g. a ring or other jewelry, tattoo or scar, missing tooth or finger, bow legs, etc.
- Observe if a car is used. Write down the color, make and license number.

While Walking

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

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

When Going to Your Car

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

- Avoid walking through or next to wooded areas or bushes whenever possible.
- Always have your car keys ready.

- Always approach your car dead center from the front or rear, never from the side. This allows you complete visibility on both sides (driver and passenger) and also allows detection of anyone hiding or lurking there.
- It is advisable to carry a pocket flashlight or penlight at all times. Before getting into the car, look in the back seat and on the rear floor of the vehicle. Check the cars adjacent to you to assure that no one is hiding or waiting for you.
- Upon getting in the vehicle, lock all doors at once.
- Start the engine immediately—don't just sit and wait.
- Should anyone try to break into the vehicle while you're in it, press down firmly on the horn and keep it pressed down to attract as much attention as possible. Make every attempt to drive away.
- Whenever possible, have someone accompany you to your vehicle, then drive the person to his/her car.

When Driving

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

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

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

- Administrators
- Deans
- Coaches

- Directors
- Health Services
- Faculty
- Campus Police

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

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

Investigation

Complaints shall be submitted to Office of the Title IX Coordinator located in Xxxxxxx Yyyyyy ###.

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

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

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

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

- **Preserving Evidence.** The investigator will direct the complainant, respondent, witnesses, and other interested individuals to preserve any relevant evidence.
- **Character Witnesses.** The investigator will not interview witnesses whose sole purpose is to provide character information.

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

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

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

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

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

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

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

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

The College shall cause an annual security report to be filed in accordance with the Federal Bureau of Investigation's Uniform Crime

Reporting (UCR) Program.

Notice

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

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

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

Conflicts of Interest

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

Informal Resolution

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

Mediation

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

Administrative Resolution

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

Hearing Panel

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

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

Written Submissions

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

Hearing Procedures

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

In general, hearings will proceed as follows:

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

The panel may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with this Policy. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.

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

Additional hearing rules include:

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

Panel Determinations/Standard of Proof

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

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

If the panel finds the respondent responsible, the matter will proceed to the sanctions stage to be imposed by the Vice President for Academic and Student Affairs.

Sanctions and Other Remedies

How Sanctions Are Determined

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

Sanctions will be:

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

Relevant factors to be considered, include, where applicable:

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

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

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

Possible Sanctions

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

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

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

Ongoing Accommodations for Complainant

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

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

Additional Responses

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

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

Appeal

Either the respondent or the complainant or both may appeal the determination of the Hearing Panel and the sanctions imposed by the Vice President for Academic and Student Affairs to the President.

The three grounds for appeal are:

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

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

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

If the College President or his or her designee concludes that a change in the hearing panel's determination is warranted or a change in the sanction is warranted, a revised determination or sanction may be entered, the panel may be reconvened to reconsider the determination, or the matter may be returned for additional investigation.

The College President or his or her designee will notify the complainant and respondent of the final decision in writing. All appeal decisions are final.

Records Disclosure

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

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

Amendments

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

After discussion, the motion was approved.

REPORT OF COUNSEL

No report

REPORT OF THE PRESIDENT

Dr. La Perla-Morales reported the 2015 graduating class to be the largest to date with 1,571 degrees being conferred. Dr. La Perla-Morales' report for May 2015 is attached.

AUDIENCE

None.

There being no further comments or business, the meeting adjourned at 9:04 a.m. The next scheduled regular meeting of the Board will take place on Wednesday, June 24, 2015, in the Chambers Hall Boardroom located on the campus of Middlesex County College.

ROBERT P. SICA
Secretary