

TCNJ GOVERNANCE MEMORANDUM

To: Committee on Student and Campus Community (CSCC)

From: Steering Committee

Date: October 19, 2022

Re: **Student Conduct Code**

Background: On September 28, 2022, Vice-President of Student Affairs, Sean Stallings, requested that CSCC review the Student Conduct Code policy. This policy should be reviewed through the normal Governance process with campus-wide testimony.

Charge: In keeping with the timeline outlined below, Steering asks CSCC to review and revise the Student Conduct Code policy. CSCC should review the memo sent to Steering from Vice-President Stallings. Specifically, CSCC should:

- Review clarification of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, decriminalizing cannabis under certain circumstances, but maintaining compliance with prohibition of cannabis possession or use on federal property, or the property of entities that receive federal funds;
- Review clarification for Summer, End of Term, and Geographically Remote cases what qualifies as a "minor incident" vs. a "major incident;" and
- Review option for remote hearings for Summer, End of Term, and Geographically Remote cases.

CSCC should seek preliminary testimony from Academic leaders, Deans, Assistant Deans, Faculty Senate and Executive Board, Staff Senate and Executive Board, Student Government and Executive Board, Office of General Counsel, and from any other constituent bodies it deems appropriate. The final recommendation should include stakeholders campus-wide. The preliminary and final recommendations should include the names of the stakeholder group, the number of persons responding, and a summary of the testimony collected.

Testimony Tier: Tier II. The issue requires moderate testimony from the campus community. The assigned council or committee should consult with relevant individuals and groups in developing a preliminary recommendation. The completed preliminary recommendation should then be made available to the relevant stakeholder groups, and testimony should be solicited in the form of written feedback (through a survey and or e-mail).

Timeline: CSCC should begin work immediately on the charge, with the goal of completing its **preliminary review by December 1, 2022** and making a Final Recommendation to Steering by

March 1, 2023. In the preliminary and final recommendations, CSCC should provide in a memo to Steering the following: the stakeholder groups and the number of persons present; a summary of the testimony gathered; the redlined version of the policy; a clean version of the policy; and any additional recommendations that should be considered.

Timeline: CSCC should make a Final Recommendation to Steering by **March 1, 2023.**

TCNJ Governance Processes

Step 1–Steering issues a charge

Step 2–Governance prepares a Preliminary Recommendation

Once the appropriate standing committee or council has received the charge, it should start by collecting data needed to make a preliminary recommendation. It should receive input from affected individuals and all relevant stakeholder groups prior to making a preliminary recommendation. For issues that have broad implications or that affect a large number of individuals, initial testimony should be solicited from the campus community at large. For some issues, sufficient initial testimony may come from input through committee membership or solicitation from targeted constituent groups. When, in the best judgment of the committee, adequate clarity of the principles contributing to the problem are known, a preliminary recommendation should be drafted and disseminated to the campus community.

Step 3–The Relevant Stakeholders provide Testimony

Once a preliminary recommendation has been completed, the standing committee or council should seek testimony from the campus community. The testimony should be gathered in accordance with the Testimony Tier (see below) assigned to the issue by Steering.

For issues that require public testimony from the campus community, the chair of the standing committee or council should approach the president of the appropriate representative bodies to schedule the next available time slot at a meeting of that body.

Testimony should be gathered in a way that allows stakeholders to weigh in fully on the issue. Members of the standing committee or council that wrote the preliminary recommendation should be present to hear and record the testimony.

Step 4–Governance prepares a Final Recommendation

Once the standing committee or council has received appropriate testimony, it should revise the preliminary recommendation into a final recommendation. Once the final recommendation is complete, the standing committee or council should use sound judgment to determine whether or not more public testimony is required. If, in its feedback to the original preliminary recommendation, a stakeholder representative body requests to review an issue again, the committee or council is bound to bring it back to that body. If a full calendar year has passed

since the formal announcement of the preliminary recommendation, the committee must re-submit a preliminary recommendation to the campus community. When the committee or council has completed the final recommendation, it should forward it to the Steering Committee. The final recommendation should be accompanied by a cover memo that summarizes the initial charge, how testimony was gathered and the nature of that testimony, and how the committee responded to that testimony, including a description of how the preliminary recommendation evolved as a result of testimony.

Step 5–Steering considers the Final Recommendation

Step 6–The Provost and/or President and Board consider the Final Recommendation

Step 7–Steering notifies the Campus Community Testimony

For a complete description of all steps and of the testimony tiers, see Governance Structures and Processes, 2019 Revision, pages 23–27.