

BROOKDALE COMMUNITY COLLEGE**BOARD POLICY****1.5141****I. Title of Policy**

Procedural Rules for Hearings

II. Objective of Policy

To establish an outline for rules for hearings before the Board of Trustees.

III. Authority

Higher Education Restructuring Act of 1994, Section 6(f)

IV. Policy Statement

The Higher Education Restructuring Act of 1994 grants to each public institution of higher education final authority to determine controversies and disputes concerning tenure, personnel matters, and other issues arising under title 18A of the New Jersey Statutes.

To implement this authority, rules for conduct of such hearings must be established and must conform to the "Administrative Procedures Act," P.L. 1968, c. 410 (c.52:14B-1 et seq.)

The President shall, therefore, implement rules for hearings before the Board of Trustees and such rules must address the following issues:

- A. Commencement of proceedings;
- B. Limitation periods;
- C. Contents of petitions;
- D. Contents of tenure charges;
- E. Election of remedies;
- F. Service of petition and tenure charges;

- G. Responsible pleadings;
- H. Intervention;
- I. Jurisdiction;
- J. Standard of review and burden of proof;
- K. Hearing panel and hearing officer;
- L. Transmittal to Office of Administrative Law;
- M. Hearing by Board, quorum, voting eligibility;
- N. Public and private proceedings;
- O. Subpoenas;
- P. Applicability of Rules of Office of Administrative Law;
- Q. Emergent relief;
- R. Prehearing conferences and settlement conferences;
- S. Transcription of proceedings.

V. **Responsibility for Implementation**

Board of Trustees

Approved: Board of Trustees
6/29/95