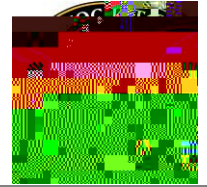


STOCKTON UNIVERSITY



PROCEDURE

Employee* Campus Hearing Board

Procedure Administrator: Executive Vice President and Chief of Staff

Authority: N.J.S.A. 18A:64-6

Effective Date: December 1, 1976; March 20, 1980; September 18, 2009; July 1, 2019

Index Cross-References: Policy I-57: Campus Hearing Board; Policy I-55 Campus Code of Conduct

Procedure File Code: I-57(0)TJEMC (T) E-137 (n) 43 (R) R009 (w) f23.73 0 Td () T 0.004 Tc -4(e o)

To prescribe the membership, organization, authority and operation of the Employee Campus Hearing Board and the Executive Hearing Panel, which is a component of the Employee Campus Hearing Board, charged with conducting administrative hearings for employees of Stockton University.

PROCEDURE

The Employee Campus Hearing Board consists of twenty-six (26) employees as listed below and is established to provide a pool from which a smaller Executive Hearing Panel is chosen to adjudicate employees accused of violating the Campus Code of Conduct.

The Executive Hearing Panel consists of seven (7) employees as listed below and is established to adjudicate employees accused of violating the Campus Code of Conduct.

another student, employee, or the University may file a complaint on the person's behalf. All visitors, guests, licensees and invitees while on or in University-owned or University-controlled facilities who are subjected to or witness conduct that violates the disciplinary code may notify an employee or student who then may act as a complainant.

SELECTION OF EMPLOYEE CAMPUS HEARING BOARD

The Manager in charge of Human Resources (MHR), or designee, serves as the non-voting Chair of the Executive Hearing Panel.

The President, or designee, will appoint Employee Campus Hearing Board members based on the nominations as per below.

Employee Campus Hearing Board members will serve a two-year term, from October 1 to September 30 each year. Prior to serving as a voting panelist, members must be instructed in Executive Hearing Panel procedures by the Office of Human Resources and must participate in one panel as an observer. Twenty-six (26) members representing all divisions of the University shall be appointed as follows:

Faculty (Group 1): In consultation with the Deans, the President of the Faculty Senate, and the SFT, the Provost will nominate eight (8) faculty members, who have agreed to serve if appointed.

Staff (Groups 2, 3, and 4): In consultation with the Executive Vice President and Chief of Staff and the respective Union President, the Provost, Vice President of Student Affairs, Vice President of Facilities and Operations and Vice President of Administration and Finance will nominate fourteen (14) members proportionally representing the classified and unclassified staff, who have agreed to serve if appointed, in the following manner:

SFT (Group 2): four (4) SFT staff and one (1) confidential staff;

CWA (Group 3): five (5) CWA staff;

IFPTE (Group 4): four (4) IFPTE staff.

University Administrators (Group 5): In consultation with the Executive Vice President and Chief of Staff and the President's Cabinet, will nominate four (4) members, who have agreed to serve if appointed.

Special Appointment: Under special circumstances, an unbiased external party may be appointed by the President to serve as a member of an Executive Hearing Panel, subject to the Conduct of Hearings section of this procedure.

The University reserves the right to extend a panel member's appointment beyond the expiration date pending a disciplinary action that extends beyond the end of the panel member's term.

No two persons on an Executive Hearing Panel can be in a direct supervisory relationship. There cannot be a direct supervisory relationship between the Complainant or Aggrieved Party or Respondent and any member of the Executive Hearing Panel that is hearing the complaint.

ABUSE OF PROCESS AND FALSE ALLEGATIONS OR INFORMATION

Anonymous filings are not permitted. An employee who

15. The recommendation of the Executive Hearing Panel, and the exceptions, if any, will be reviewed by the MHR or designee, who will provide a recommendation to the Executive Vice President and Chief of Staff for one of the following actions:

- Adopt the decision of the Executive Hearing Panel;
- Accept the findings of the Executive Hearing Panel and modify the recommended sanction; or
- Dismiss the case based on the record.

16. The MHR or designee maintains all summaries of proceedings, notes, audio, or written records pertaining to the conduct of the hearings.

CONCURRENT RELATED CIVIL OR CRIMINAL PROCEEDINGS

Concurrent civil or criminal proceedings will not automatically stay disciplinary action. The University reserves the right to stay these proceedings subject to applicable policies, procedures and/or collective bargaining agreements.

SANCTIONS DEFINED

In general, sanctions are progressive and increase with the severity of the offense and if the offense is repeated. Where appropriate, restitution may be considered in the case of damage or theft of property. In all cases, consideration of sanctions should center on what a reasonable minimum response to the infraction would be, given the facts of the hearing, and should seek to educate and modify the behavior of the Respondent.

Progressive Disciplinary Action

- **Counseled Remedy:** Discussion with the employee by MHR or designee of the behavioral infraction and consequences of potential disciplinary action if unacceptable conduct is repeated.
- **Warning:** Written or otherwise appropriate accessible notice to the Respondent that their conduct was questionable, and repetition of the conduct will be treated more severely. Employees will acknowledge said notice.
- **Official Reprimand:** Notice to the Respondent for violation of the Code of Conduct, including the possibility of more severe disciplinary sanctions in the event of future violations. Copied to the Office of Human Resources for inclusion in the personnel file.
- **Suspension:** Exclusion for a specific period from the University payroll, including exclusion from all University activities and events. The basis for this action will be set

- Demotion: Reduction of range or rank consistent with Union contract provisions and Civil Service regulations.
- Removal: Termination of employment in accordance with Union contract provisions and Civil Service regulations.

APPEAL PROCESS

Within seven (7) business days of the notification of the sanction, the respondent may appeal the sanction to the President or designee.

Upon review of the record, the President or designee will:

- Sustain the original judgment; or
- Adjust the charges and/or modify the sanction; or
- Direct a rehearing, or
- Dismiss the case.

*All employees are included in this procedure with the exception of sworn police officers. Any changes to this procedure must be done in consultation with all the employee unions.

Review History:

AFT, CWA, IFPTE Leadership	04/23/2019
EVP and Chief of Staff	04/24/2019
General Counsel	06/05/2019
Cabinet	06/13/2019
President	06/17/2019