

**(a)**  
**SECRETARY OF HIGHER EDUCATION**  
**Community College Personnel Regulations**  
**Readoption with Amendments: N.J.A.C. 9A:7**

Proposed: November 18, 2013, at 45 N.J.R. 2422(a).

Adopted: March 14, 2014, by Rochelle Hendricks, Secretary of Higher Education, Office of the Secretary of Higher Education.

Filed: March 14, 2014, as R.2014 d.064, **without change**.

Authority: N.J.S.A. 18A:3B-15.

Effective Dates: March 14, 2014, Readoption;  
April 7, 2014, Amendments.

Expiration Date: March 14, 2021.

**Summary of Public Comment and Agency Response:**

**No comments were received.**

**Federal Standards Statement**

The rules readopted with amendments are not subject to a Federal standards analysis under Executive Order No. 27 (1994) or N.J.S.A. 52:14B-2.3 because the subject matter involves the Office of the Secretary of Higher Education's regulation of community college personnel, which is not subject to any Federal requirements or standards.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 9A:7.

**Full text** of the adopted amendments follows:

**SUBCHAPTER 2. COMMUNITY COLLEGE REDUCTION IN FORCE POLICIES**

**9A:7-2.4 Consultation with college community**

The president shall consult with the college community in developing the plan and recommendations to be presented to the board of trustees. Representatives of the college community shall, upon request, be provided with class enrollment and financial data in a timely manner pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing in this section shall require a college to prepare such information in a format not routinely used by the college. Representatives of the college community may present alternative plans to modify or avoid the reduction in force to the college president, provided that such plans are submitted within the time permitted the president to submit a plan to the trustees. The president shall

forward any suggested alternative plans to the board of trustees along with his or her own recommendations.

#### 9A:7-2.9 Reappointment of laid-off employees

Any employee on layoff status who is reemployed after layoff shall be reappointed with a rank and salary equivalent to his or her rank and paid the salary earned when laid off, or the then current minimum of the salary range for the rank, whichever is greater.

### SUBCHAPTER 3. TENURE POLICIES

#### 9A:7-3.5 Evaluation procedures

- (No change.)

(b) Evaluations should occur not less frequently than each year. A comprehensive evaluation, including the components set forth in (c) below, shall occur at least once every five years.

- (No change.)

### SUBCHAPTER 4. PROFESSIONAL EMPLOYEE POLICIES

#### 9A:7-4.2 Academic rank for nonteaching personnel

- “Faculty member” means any full-time member of the teaching staff appointed with academic rank. Pursuant to rules promulgated by the Secretary of Higher Education, other full-time professional personnel shall be considered faculty members if they concurrently hold academic rank.

(b)-(g) (No change.)

(h) Notwithstanding the provisions of (b) and (c) above, a board, at its discretion, may grant concurrent academic rank in a department of instruction to a president who meets all qualifications for rank. Upon recommendation of the president, a board, at its discretion, may grant concurrent academic rank to a vice president for academic affairs (or equivalent title), a dean, or a departmental chairperson who meets all qualifications for rank.

(i) (No change.)