The following is an excerpt from the Academic Catalog (May 2026). Students are advised to review the current catalog for updates, which is available at www.jerseycollege.edu



Teterboro Campus

Disputes, Investigations and Institutional Appeal Policies

Purpose of Policy

This policy provides a fair, equitable, and structured framework for individuals to seek informal or formal resolution of academic and non-academic concerns, including grade disputes or non-grade issues such as violations of the College's Code of Conduct (excluding discrimination, harassment, and sexual misconduct, which are addressed under separate policies), unfair treatment by staff or faculty in non-academic matters, or similar matters (hereafter referred to as a "non-grade dispute"). The goal of this policy is to address complaints promptly, objectively, and consistently while promoting constructive resolutions that maintain positive educational and developmental relationships. This process prohibits retaliation against any party involved in good faith and protects against frivolous or malicious complaints, which may result in disciplinary action against the filer. The College reserves the right to investigate complaints even if withdrawn, where necessary to safeguard the community or comply with legal obligations.

This policy also outlines the process to appeal institutional decisions (including institutional, Civil Rights, and Title IX determinations). Like the dispute process, the appeal procedures are designed to ensure fairness, impartiality, and compliance with applicable laws and institutional standards, promoting timely resolution while protecting the rights of all parties. Appeals are limited to specific grounds and do not allow for re-litigation of the original case merits. The policy applies to current students and extends to alumni for appeals involving misconduct discovered post-graduation that may warrant degree revocation or other retroactive actions.

This policy incorporates specific timelines for key stages, including investigations, determinations, issuance of rulings, and other procedural steps, to facilitate efficient and accountable handling of concerns. These timelines may be adjusted based on the complexity of the case or external factors such as academic breaks, examination periods, or the availability of involved parties. Extensions may also be granted for a variety of reasons, including but not limited to: (i) compliance with requests from law enforcement or regulatory bodies; (ii) accommodating witness or party availability, such as scheduling conflicts or travel requirements; (iii) addressing health or personal emergencies affecting participants; (iv) accounting for academic scheduling constraints (e.g., exams, holidays, semester breaks, or institutional closures); or (v) managing case intricacies, such as the volume of evidence, number of witnesses, need for expert consultations, or integration of new information. All decisions regarding the setting of timelines and any adjustments rest in the sole discretion of the College and may not be challenged.

Process for Initiating Dispute Resolution

Informal Dispute

Jersey College is committed to fostering an environment where academic and non-academic concerns can be addressed constructively. For all concerns the parties involved are encouraged—but not required—to attempt informal resolution by discussing the concern directly with the person(s) involved. Assistance may be sought from neutral individuals, such as the Dean, Associate Dean, Program Chair or Campus Administrator For example, any student who questions or raises a concern about a grade or the grading procedure should first contact and interact with the instructor. In cases unrelated to grades—such as alleged violations of the College's code of conduct or other non-academic issues— students and the College should engage in open, respectful, and professional dialogue to understand the concerns and seek an informal resolution. If these informal approaches fail to resolve the issue, the dispute should be resolved utilizing the following formal procedures.

Grade Concerns

The instructor for each class has the sole authority and responsibility to evaluate a student's performance in the class (including lab, clinical, and preceptorship). In the absence of fraud, bad faith, or mistake, the instructor's grades are final. If a student is not able to resolve a grade concern with their instructor, the student may file a written request with the Program Administrator (or if the Program Administrator is the party involved in the incident, then to the Campus Director) to investigate the grade concern. Written requests must include the following:

- The course number, course name and faculty member;
- A clear and detailed explanation of the alleged fraud, bad faith, or mistake, including specific instances of non-compliance with applicable policies or procedures;
- The names and contact information of any witnesses who can substantiate the alleged fraud, bad faith or mistake;
- Supporting documentation or evidence to substantiate the claims (see Relevant Documentation to Support a Complaint below); mere unsubstantiated allegations or opinions without accompanying evidence will not suffice to initiate or proceed with an investigation—the filer bears the burden of providing credible evidence to establish a prima facie case; and
- A proposed solution, remedy, or action.

This written grade review request must be submitted within twenty (20) business days from the end of the term associated with the course. The 20 (twenty) business-day timeframe is intended to balance the need for timely resolution of disputes with providing students a reasonable window to review their grades and compile supporting evidence. If the written request is not submitted within this twenty (20) business-day timeframe, the instructor's grade will be deemed final and irrevocable, with no opportunity for further appeal, review, or investigation.

Code of Conduct or Other Non-Grade Concerns

Individuals who wish to file a concern involving a non-grade dispute must complete and submit a Dispute Form, accessible at www.jerseycollege.edu/policies. The Dispute Form requests, among other things, the following:

- A detailed description of the issue and negative impact;
- The date, time, and place of the event(s) pertaining to the concern;
- The name and contact information for any witnesses with knowledge of the concern or subject of the formal complaint;
- Specific details regarding the instance(s) of non-compliance with the policy or procedure applicable or violations of codes of conduct;
- Supporting documentation or evidence to substantiate the claims (see Relevant Documentation to Support a Complaint below); mere unsubstantiated allegations or opinions without accompanying evidence will not suffice to initiate or proceed with an investigation—the filer bears the burden of providing credible evidence to establish a prima facie case; and
- A proposed solution, remedy, or action.

Submission of the completed Dispute Form is mandatory for any investigation to proceed.[103] The form and all supporting materials must be emailed to grievance@jerseycollege.edu, with a request for confirmation receipt to verify delivery. Further, the completed Dispute Form must be submitted within twenty (20) business days from the occurrence of the alleged event. This twenty (20) business-day timeframe is designed to ensure timely resolution while allowing individuals a reasonable period to gather information, consult with advisors, and compile evidence. If the Dispute Form is not submitted within this timeframe (or any approved extension), the dispute will not be accepted for investigation, and there will be no opportunity for further appeal, review, or reconsideration. Untimely submissions may only be considered in extraordinary circumstances, such as newly discovered evidence that could not have been obtained earlier.

103 While submission of a completed Dispute Form is generally mandatory for initiating an investigation into non-grade disputes, such as Code of Conduct violations or other concerns, Jersey College reserves the right, in its sole discretion, to waive this requirement where the concern is raised by a Jersey College employee or an outside third-party who is unrelated to and independent of the College. Such waivers may be granted, for example, when an employee identifies a potential issue during the course of their duties (e.g., through internal observations or reports) or when an independent external entity, such as a regulatory body, auditor, or unrelated community member, brings forward a concern without a formal student submission. In these cases, the College may proceed with an investigation based on the available information provided by the employee or third-party, provided sufficient credible details and evidence to establish a prima facie case. The decision to waive the form does not relieve the originating party of the responsibility to provide necessary details, evidence, and other required information through alternative means as directed by the College.

Relevant Documentation to Support a Complaint

To ensure a fair, transparent, and objective process for resolving complaints at Jersey College—whether involving grade disputes, violations of the Student Code of Conduct, or other non-academic issues—all relevant documentation is expected to be submitted with the request for an investigation. Comprehensive evidence is essential to substantiate claims, establish facts, and prevent reliance on unverified accounts, which can impede reaching well-founded conclusions in an educational environment. All submitted information is expected to be properly, legally, and appropriately collected and possessed by the complainant in accordance with College policies and applicable laws, such as FERPA, HIPAA, and state privacy regulations. Submission of information obtained unlawfully or in violation of College policies—such as unauthorized recordings, hacked data, or improperly accessed records—may result in disciplinary actions.

This policy provides examples of documentation recommended to support investigations, tailored to the academic context, with clear descriptions, purposes, and submission guidelines. These examples apply to complaints initiated by the College against a student, a student against another student, or a student against a College employee. The list is not exhaustive, and additional relevant materials may be submitted as appropriate. However, individuals are only expected to provide documentation in their possession, as there is no right to obtain materials. For example, employee personnel records are confidential and protected under employment regulations. Similarly, other students' academic or disciplinary records are confidential. Additional examples of inaccessible materials include internal College investigation notes, third-party medical records, or security footage. Complainants should submit all relevant evidence they properly possess to support a thorough and equitable investigations.

- Written and Digital Communications. Written and digital communications should include all textual or digital exchanges between involved parties to provide evidence of intent, interactions, or behavioral patterns, complete with timestamps, recipients, and full context to ensure clarity. Such communications encompass (i) emails and text messages (SMS/MMS) related to the incident, such as correspondence between a student and instructor about a grading issue; (ii) instant messaging logs or media, including images or text, from platforms like Microsoft Teams, Canvas discussion boards, or WhatsApp used for academic or group communication; and (iii) relevant social media interactions, such as direct messages or posts on platforms like X, if tied to the complaint. These records establish a timeline and context, with metadata like send/receive times clarifying the sequence of events, and full conversation threads are required to prevent selective or misleading excerpts.

- Visual and Multimedia Evidence. Visual and multimedia evidence should include visual or multimedia records capturing events, locations, or items relevant to the complaint to offer concrete, verifiable proof. This includes (i) photographs or screenshots; (ii) videos from personal devices, if permissible under College policy and legally obtained, such as footage of a disruptive event in a common area; and (iii) screenshots of digital interfaces, like login records, assignment submission portals, or shared academic documents. These materials provide objective evidence of physical or digital circumstances, particularly in disputes involving tangible settings or academic systems, with timestamps or geolocation data, where applicable, enhancing credibility, and the source.

- Communication Records and Metadata. Communication records and metadata should include logs of interactions, including non-textual forms, with precise timestamps and durations to verify timing and authenticity. These logs cover (i) phone call logs detailing start/end times, duration, and carrier records related to discussions about the incident, (ii) audio or video recordings of meetings, advising sessions, or interviews, obtained with explicit consent as required by law; and (iii) voicemails or transcripts of relevant conversations. These records establish a chronology, corroborate claims such as alibis or event sequences, and ensure alignment with academic processes, with legal consent verified for recordings and transcripts included for accessibility..

- Witness and Party Statements. Witness and party statements should provide accurate accounts from individuals involved or knowledgeable about the incident to build credible testimonial evidence. These statements include (i) signed affidavits, declarations, or written statements from peers, faculty, or staff, such as a classmate's account of a classroom disruption; (ii) transcripts or summaries of interviews, including observations of demeanor, for example, emotional state or hesitancy, like notes from a student's meeting with a Program Administrator; and (iii) verbatim quotes from witnesses, even if uncooperative, such as a faculty member's response to a conduct allegation. Statements provide firsthand perspectives and validate claims when cross-referenced with other evidence, with contact information included to ensure follow-up for clarification.

- Medical and Incident Reports. Medical and incident reports should provide health-related or event-specific records for incidents involving physical, emotional, or accessibility issues, particularly in cases of alleged harm. These records include (i) doctor's notes, medical records, or accommodation requests, redacted per privacy laws; (ii) initial incident reports, complaint forms, or intake summaries, like a report filed with a Campus Director about a conduct violation; and (iii) records of patterns, such as repeated absences linked to an incident or requests for academic adjustments.

- Academic and Performance Records. Academic and performance records should include institutional data related to academic performance or progress to contextualize grade disputes or academic conduct issues. These records encompass (i) grade reports, assignment submissions, or exam results; (ii) student progress reports, or feedback forms documenting academic performance; and (iii) records of academic standing, such as probation notices or prior grade appeals. These clarify adherence to grading policies or academic standards, providing objective data for disputes without overlapping with witness statements, and should be obtained from official College systems to ensure relevance to the specific complaint.

- Policy Documents. Policy and procedural documents must include relevant institutional policies or guidelines that frame the complaint or investigation process. These documents encompass (i) excerpts from the Academic Catalog, Syllabi, Secure Assessment Policy, etc.; (ii) training records or certifications, such as completion of academic integrity modules; and (iii) program-specific guidelines, like clinical rotation protocols or lab safety rules. These establish the standards against which the incident is evaluated, ensuring alignment with College expectations, and must reference specific sections.

Notwithstanding the foregoing, the College understands that certain information relevant to an investigation may not be in the possession of the complainant. The fact that a complainant cannot legally access or submit certain information does not preclude the College from exercising its authority to obtain and evaluate such records to ensure a comprehensive investigation, provided doing so complies with applicable laws and College policies. For example, the College may examine confidential records, such as employee personnel files, student disciplinary histories (including counseling records), access logs, academic records of other parties or campus security logs, which are not available to complainants due to privacy protections. This access enables the College to gather a complete and accurate picture of the incident, balancing the rights of all parties while adhering to principles of fairness and due process. Complainants are not entitled to receive or review these additional records unless explicitly permitted by College policy or applicable law.

Anonymous Complaints

Jersey College encourages and prefers identified complaints, as they foster open communication, enable direct engagement with complainants, and facilitate a more thorough and efficient investigation process while promoting a culture of accountability and trust within the academic community. However, Jersey College acknowledges that individuals may choose to file complaints anonymously due to concerns about privacy, fear of retaliation, or personal safety. Anonymous complaints present significant challenges to conducting thorough, equitable, and effective investigations, as they often lack the detail necessary to verify allegations or uphold due process. To ensure fairness and protect the rights of all parties involved, anonymous complaints must provide precise and comprehensive details to enable a meaningful investigation. These details include (i) specific dates, times, and locations of the alleged incident(s), such as a classroom disruption on October 10th, at 2:15 PM in Room 204; (ii) names or clear, identifiable descriptions of individuals involved, such as the full name of the individual or a detailed description (e.g., "the instructor of NUR101, Section A, with short brown hair"); (iii) a detailed account of the alleged violation, including the specific nature of the issue (e.g., intent to harm, bullying, plagiarism, or unfair grading) and relevant circumstances (e.g., "the instructor reduced my exam score from 85 to 70 without justification during a review session on September 20th"); and (iv) supporting documentation, such as emails, screenshots, or witness statements, as outlined above under "Relevant Documentation to Support a Complaint". Vague or general allegations, such as "an instructor was unfair" or "a student violated the code of conduct," without specific dates, times, individuals, or evidence, are unfairly prejudicial to the accused and may not be investigated, as they hinder the establishment of a factual basis or a fair response process.

The College will evaluate the feasibility of investigating anonymous complaints based on the clarity, specificity, and quality of the evidence provided, and consideration for the rights of all individuals involved in the complaint process. In alignment with principles of procedural fairness and due process, Jersey College will not pursue accusations or impose disciplinary actions against any individual based solely on anonymous allegations lacking credible, verifiable evidence. This approach ensures that all parties have the opportunity to review evidence, respond to allegations, and, where applicable, challenge the credibility or motives of accusers to prevent unjust outcomes.

Investigation of Disputes[104]

Jersey College is dedicated to resolving all concerns—whether grade-related or non-grade-related—in a thorough, fair, and timely manner. The College aims to address each concern (e.g., conduct investigations) within twenty (20) business days. Investigations of disputes are conducted by designated individuals, referred to as "Fact Finders," who are appointed as follows:

- For grade concerns: The Program Administrator and/or other designees appointed by the Program Administrator or the President of the College.
- For non-grade concerns: The Campus Director and/or other designees appointed by the Campus Director or the President of the College.

The College's Legal Counsel may also participate to provide guidance and ensure procedural integrity. The Fact Finder is tasked with collecting evidence, interviewing relevant parties, and reviewing all pertinent materials, which may include photographs, videos, electronic files, emails, text messages, voicemail records, social media content, and other documentation. All parties involved in the dispute may identify witnesses to support their case.

Upon completing the investigation, the Fact Finder may (in the Fact Finder's sole discretion) prepare an investigation report that fairly summarizes relevant evidence. The report is not required to catalog all evidence obtained by the Fact Finder, but only to provide a fair summary of that evidence. Only relevant evidence (including both inculpatory and exculpatory – tending to prove or disprove the allegation) should be referenced in the report. The report may detail a timeline of the case and summarize relevant supporting documentation. The report may also include the Fact Finder's assessment of individual credibility.

104 Complaints involving harassment and/or discrimination shall be investigated and adjudicated utilizing the policies and procedures under "Civil Rights Policies" and "Title IX and VAWA Policies".

Determinations and Findings

The Fact Finder, serving as the "Institutional Decision Maker," is responsible for rendering a final decision on all allegations, referred to as the "Institutional Determination." Decisions are made using the "preponderance of the evidence" standard, meaning the Institutional Decision Maker must determine that it is more likely than not (greater than a 50% probability) that the allegation is true.

The College reserves the right to impose corrective actions and sanctions for violations of academic integrity, the Code of Conduct, or other policies, as determined through the appropriate investigation and resolution processes (e.g., Grade Concerns or Non-Academic Dispute procedures). Sanctions are designed to be educational, restorative, and proportionate to the nature, severity, and impact of the violation, while considering factors such as the individual's intent, accountability, prior conduct history, cooperation during the process, and potential harm to the College community or others. Multiple sanctions may be applied concurrently or sequentially. In all cases, sanctions will be documented in the individual's record, and failure to comply with imposed sanctions may result in additional penalties, up to and including dismissal.

Possible corrective actions and sanctions include, but are not limited to:

- Grade Correction or Adjustment: A change to the student's grade to rectify identified fraud, bad faith, or mistake. For instance, in cases involving bad faith (e.g., intentional bias or improper grading), the grade may be reassessed based on an independent evaluation of the student's work quality by a qualified third party, such as another faculty member or academic committee.

- Oral or Written Disciplinary Warning or Reprimand: An official oral or written statement from the College explaining the violation, its consequences, and expectations for future behavior. This may include conditions, such as mandatory meetings or behavioral contracts, that must be fulfilled to avoid escalation to more severe sanctions.

- Probation: Placement on disciplinary or academic probation for a specified period, during which the individual must adhere to enhanced monitoring, behavioral standards, or academic performance requirements. Violations during probation may lead to immediate suspension or dismissal.

- Educational or Restorative Requirements: Assignments aimed at fostering reflection and growth, such as writing reflective essays, completing online modules on ethics or academic integrity, attending workshops, presenting programs, or performing community service.

- Loss of Privileges: Temporary or permanent restriction of access to College facilities, services, or activities.

- Suspension: Temporary termination of the individual's enrollment or status with the College for a specified period, such as one or more academic terms. Reinstatement may be contingent on fulfilling conditions, like completing educational requirements or demonstrating improved behavior. Non-compliance during or after suspension could lead to dismissal.

- Dismissal or Expulsion: Permanent termination of the individual's status at the College, prohibiting future enrollment or participation.

- Restitution: Reimbursement for damage to or misappropriation of College or private property, which may involve monetary payment, community service, or other compensatory actions.

- Transcript Notations: For intentional and egregious misconduct leading to suspension or dismissal (e.g., academic dishonesty), a notation may be added to the student's official transcript, such as "Disciplinary Suspension due to Violation" or "Dismissal for Academic Dishonesty."

- Revocation or Rescission of Diploma or Degree: In cases where misconduct (e.g., academic dishonesty, fraud, or ethical violations) is discovered after a degree or diploma has been conferred, the College may revoke the credential. Revocation results in the permanent invalidation of the degree, with updates to official records and transcripts.

- Rescission of Recommendations to Licensing Boards, Regulatory Bodies or Others: The College may withdraw or rescind any previously issued letters of recommendation, endorsements, or certifications submitted to professional licensing boards, regulatory bodies, employers, or other entities. This applies if the violation undermines the individual's suitability for licensure or professional practice, drawing from principles in professional program policies where integrity is paramount.

- Notification to Licensing Boards or Regulatory Bodies: The College reserves the right to notify relevant professional licensing boards, regulatory agencies, or accrediting bodies of any sanctions imposed, particularly for violations related to academic dishonesty, ethical misconduct, or behavior that may impact public safety or professional competence (e.g., in nursing or healthcare programs).

The College may implement interim measures during investigations to ensure safety and fairness.

Notification of Determinations

Upon completion of the investigation, the Institutional Decision Maker is responsible for issuing a decision (which may be communicated in writing or verbally), within twenty (20) business days. The decision should include general factual findings based on the preponderance of the evidence standard, conclusions on whether a violation occurred, reasons for the determination, any remedial actions (e.g., training, policy adjustments, or sanctions), and information on appeal rights.

To safeguard the privacy of all parties involved in an investigation, including complainants, the accused, witnesses, and other relevant individuals, Jersey College maintains strict confidentiality regarding investigation findings, determinations, and disciplinary actions.

The disclosure of investigation outcomes and disciplinary actions to the complainant varies based on the nature of the complaint. When a complaint involves an accusation against an individual for violating a College policy, only the accused is informed of the determination and any disciplinary actions, as permitted by law or College policy. In such cases, the complainant is typically notified only of the general resolution status, such as whether the allegation was substantiated or not, without disclosure of specific details, such as sanctions (e.g., suspensions, terminations, or other disciplinary measures), unless required by applicable laws. Conversely, when a complaint concerns a general violation of College policy not directed at a specific individual but rather the College's failure to act, such as procedural or administrative oversights, the complainant will be informed of the determination, including relevant details of the outcome, as deemed necessary by the College or required by law. This approach ensures clarity in communication while balancing the need for transparency with legal and privacy obligations.

The foregoing commitment to confidentiality safeguards the privacy and reputational interests of all parties, maintains the integrity of current and future investigations by preventing external influence, and supports procedural fairness by protecting sensitive institutional processes.

Institutional Complaint and Appeals

Grade and non-Grade Appeals

Initiation of Institutional Determination Appeal

Students seeking to challenge an Institutional Determination may initiate the appeal process by filing a formal complaint. To appeal, students must complete and submit the Institutional Determination Appeal Request Form, accessible at www.jerseycollege.edu/policies. The form requires students to provide detailed information, relevant facts, and supporting documentation that establish a prima facie case[105] of an Actionable Error. The appeal must be submitted within five (5) business days from the date the student is notified of the Institutional Determination.

The completed Institutional Determination Appeal Request Form, along with all supporting documentation, must be submitted through one of the following methods: (i) email to appeal@jerseycollege.edu with a confirmation receipt; (ii) regular or express mail addressed to Jersey College, Attention: Appeal Board, 546 US Highway 46, Teterboro, NJ 07608; or (iii) hand-delivered to the Campus Director. Submission of the Institutional Determination Appeal Request Form is mandatory, and appeals will not be reviewed without it. Failure to file the appeal within the specified five (5) business day period will result in the forfeiture of the student's right to appeal the Institutional Determination.

Appeal Board Composition

Appeals of Institutional Determinations are adjudicated by an appeal board, a three-member panel composed of faculty and administrative staff from Jersey College (the "Appeal Board"). The members of the Appeal Board are appointed by the President of the College (or designated appointee), who also oversees the appeal hearings to ensure procedural fairness. The President (or appointee) is not a member of the Appeal Board and has no voting capacity in Appeal Board determinations.

Appeal Board members must be free from material conflicts of interest or biases, such as direct, personal, and substantial pecuniary interest, close personal relationships with involved parties, or prior significant involvement in the matter.[106] Individuals with such conflicts or biases must recuse themselves to maintain the integrity of the process.[107]

Appeal Board Formation

Formation of the Appeal Board is not automatic and depends on the President (or appointee) determining, within twenty (20) business days of receiving the appeal, that the request presents a prima facie case of an Actionable Error warranting review. If no prima facie case is established, the appeal is denied, and the Institutional Determination stands as final. If approved, the Appeal Board will be convened, and a hearing scheduled within ten (10) business days of the President's (or appointee's) determination.

Appeal Board Authority

The Appeal Board's role is not to re-evaluate the merits of the original case but to determine whether an Actionable Error occurred that materially affected the Institutional Determination. An Actionable Error is defined as:

- A procedural irregularity that materially affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination was made and that would have affected the outcome of the decision; and/or
- A conflict of interest or bias by the Institutional Decision Maker that affected the outcome.

Disagreement with the Institutional Determination or its sanctions does not constitute grounds for an appeal. The Appeal Board lacks authority to review appeals related to: (i) Financial Assistance or Satisfactory Academic Progress (SAP) Warnings[108], (ii) Admissions decisions, (iii) Civil Rights Matters, (iv) Title IX Matters or (v) Other matters outside the scope of Actionable Errors.

Appeal Hearings Procedures

Appeal hearings are conducted following an investigatory model where the Appeal Board actively questions witnesses and evaluates evidence. Key features include:

- Both parties may present witnesses and supporting evidence.
- Hearings are private, closed to the public and non-involved Jersey College community members.
- Legal representatives or members of the bar are not permitted to act as representatives.
- Formal rules of evidence do not apply; the Appeal Board may admit evidence that reasonable persons would find probative.

The appealing party must demonstrate the existence of an Actionable Error by clear and convincing evidence, meaning the evidence must be highly and substantially more likely to be true, instilling a firm belief in its validity. The Appeal Board retains discretion to assess the relevance and weight of evidence. In reaching a decision, the Appeal Board may consider: (i) character witnesses, (ii) mitigating circumstances, (iii) the disciplinary history of the party complained against and (iv) other relevant factors.

105 "at first look," or "on its face"

106 Participation or involvement in a matter, including actions taken in the normal course of a person's job, does not, by itself, create a conflict of interest or bias. A conflict of interest or bias exists only when there significant, direct and material involvement in the matter, such as conducting the investigation, rendering the decision or a party directly engaged in the dispute that led to the Institutional Determination. Disqualification is justified only if these actions clearly compromise the fairness or impartiality of the proceedings.

107 Employment, agency, or other contractual relationships with the College do not inherently constitute a bias or a conflict of interest, and therefore individuals with such affiliations may participate in Institutional Determination appeals.

108 Financial assistance appeals should be directed to the Financial Assistance Appeals Committee.

Appeal Decisions

The Appeal Board's purpose is to identify whether an Actionable Error occurred, not to reassess the case's merits. As such, by majority vote, the Appeal Board will:

- Affirm the Institutional Determination if no Actionable Error is found; or
- Remand the case for re-evaluation and adjudication by the Institutional Decision Maker if an Actionable Error is determined to exist.[109].

The Appeal Board's written decision will be provided to the appealing party within twenty (20) business days of the hearing's conclusion.

Civil Rights Appeals

Initiation of a Civil Rights Determination Appeal

Either party involved in a Civil Rights Complaint may challenge the determination by filing a formal appeal (the "Civil Rights Appeal"). To appeal, individuals must complete and submit the Civil Rights Appeal Request Form, accessible at www.jerseycollege.edu/policies. The form requires the appealing party to provide detailed information, relevant facts, and supporting documentation that establish a prima facie case of a Civil Rights Actionable Error. The appeal must be submitted within five (5) business days from the date the student is notified of the Civil Rights Decision.

The completed Civil Rights Appeal Request Form, along with all supporting documentation, must be submitted through one of the following methods: (i) email to civilrightsappeal@jerseycollege.edu with a confirmation receipt; (ii) regular or express mail addressed to Jersey College, Attention: Civil Rights Appeal Board, 546 US Highway 46, Teterboro, NJ 07608; or (iii) hand-delivered to the Campus Director. Submission of the Civil Rights Appeal Request Form is mandatory, and appeals will not be reviewed without it.

The time for a Civil Rights Appeal shall be offered equitably to all parties involved in a Civil Rights Complaint and shall not be extended for any party solely because the other party filed an appeal. Failure to submit a Civil Rights Appeal within the five (5) business day period forfeits the right to appeal under this policy, regardless of the outcome of the other party's appeal.

If either party to a Civil Rights Matter files a Civil Rights Appeal, the Civil Rights Compliance Coordinator will as soon as practicable notify the other party in writing that a Civil Rights Appeal has been filed and the grounds of the Civil Rights Appeal. The non-appealing party may submit a written response within five (5) business days after notice of the Civil Rights Appeal. If both parties to a Civil Rights Matter appeal, the Civil Rights Appeals of each party will be considered concurrently.

Civil Rights Appeal Board Composition

Appeals of Civil Rights Decisions are adjudicated by an appeal board, a three-member panel composed of composed of the President of the College, the Provost of the College and the Associate of Vice President of Educational Services (or other designees appointed by the President) (the "Civil Rights Appeal Board").

The President (or designated appointee) shall oversee the Civil Rights Appeal. The President (or designated appointee) is responsible for (i) determining that the Civil Rights Appeal request includes facts and/or documentation that present a prima facie case of a Civil Rights Actionable Error; (ii) confirming and if necessary appointing the members of the Civil Rights Appeal Board; and (iii) overseeing the Civil Rights Appeal process.

Civil Rights Appeal Board members must be free from material conflicts of interest or biases, such as direct, personal, and substantial pecuniary interest, close personal relationships with involved parties, or prior significant involvement in the matter.[110] Individuals with such conflicts or biases must recuse themselves to maintain the integrity of the process.[111]

Civil Rights Appeal Board Formation

Formation of the Civil Rights Appeal Board is not automatic and depends on the President (or appointee) determining, within twenty (20) business days of receiving the appeal, that the request presents a prima facie case of a Civil Rights Actionable Error. If no prima facie case is established, the appeal is denied, and the Civil Rights decision stands as final. If approved, the Civil Rights Appeal Board will be convened within ten (10) business days of the President's (or appointee's) determination.

Civil Rights Appeal Board Authority

The Civil Rights Appeal Board's role is not to re-evaluate the merits of the original case but to determine whether a Civil Rights Actionable Error occurred that materially affected the Civil Rights Decision. A Civil Rights Actionable Error is defined as:

- A procedural irregularity that materially affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination was made and that would have affected the outcome of the decision; and/or
- A conflict of interest or bias by the Civil Rights Compliance Coordinator, Investigator, or Civil Rights Adjudicator that affected the outcome of the matter.

109 If the Actionable Error involves a conflict of interest or bias by the Decision Maker, the case will be remanded, and a new Decision Maker will be appointed by the President of the College (or designee).

110 Participation or involvement in a matter, including actions taken in the normal course of a person's job, does not, by itself, create a conflict of interest or bias. A conflict of interest or bias exists only when there significant, direct and material involvement in the matter, such as conducting the investigation, rendering the decision or a party directly engaged in the Civil Rights matter. Disqualification is justified only if these actions clearly compromise the fairness or impartiality of the proceedings. For clarity purposes, the following individuals are deemed to be significantly involved in a Civil Rights matter: the Civil Rights Compliance Coordinator, Investigator, and Civil Rights Adjudicator in the same matter.

111 Employment, agency, or other contractual relationships with the College do not inherently constitute a bias or a conflict of interest, and therefore individuals with such affiliations may participate in Civil Rights Appeals.

Disagreement with the Civil Rights Decision or its sanctions does not constitute grounds for an appeal. The Civil Rights Appeal Board lacks authority to review appeals related to: (i) Institutional Determinations, (ii) Financial Assistance or Satisfactory Academic Progress (SAP) Warnings, (iii) Admissions decisions, (iv) Title IX Matters or (v) Other matters outside the scope of Civil Rights Actionable Errors.

Civil Rights Appeal Hearings Procedures

Civil Rights Appeals are decided upon the record of the original proceeding and any written information submitted by any of the parties in the appeal. The Civil Rights Appeal Board may solicit written clarification on any issue raised on appeal from the Civil Rights Adjudicator assigned to the case, the Civil Rights Compliance Coordinator, the Investigator, the Complainant, or the Respondent.

The appealing party in a Civil Rights Appeal must demonstrate the existence of a Civil Rights Actionable Error by clear and convincing evidence, meaning the evidence must be highly and substantially more likely to be true, instilling a firm belief in its validity. The Civil Rights Appeal Board retains discretion to assess the relevance and weight of evidence.

Civil Rights Appeal Decisions

The Civil Rights Appeal Board's purpose is to identify whether a Civil Rights Actionable Error occurred, not to reassess the case's merits. As such, by majority vote, the Civil Rights Appeal Board will:

- Affirm the Civil Rights Decision if no Actionable Error is found; or
- Remand the case for re-evaluation and adjudication by the Civil Rights Adjudicator if a Civil Rights Actionable Error is determined to exist.[112].

The Civil Rights Appeal Board will deliver a written decision to all involved parties within twenty (20) business days of completing its review of the record and submitted information.

112 If the Civil Rights Actionable Error involves a conflict of interest or bias, the case will be remanded, the conflicted or biased individual will be replaced, and the proceedings will resume from the point where such individual became involved with the matter. Appointments will adhere to the Civil Rights Complaint Process procedures.

Title IX Appeals

Initiation of a Title IX Determination Appeal

Either party involved in a Title IX Complaint may challenge the determination by filing a formal appeal (the "Title IX Appeal"). To appeal, individuals must complete and submit the Title IX Appeal Request Form, accessible at www.jerseycollege.edu/policies. The form requires individuals to provide detailed information, relevant facts, and supporting documentation that establish a prima facie case of a Title IX Actionable Error. The appeal must be submitted within five (5) business days from the date the student is notified of the Title IX Determination.

The completed Title IX Appeal Request Form, along with all supporting documentation, must be submitted through one of the following methods: (i) email to titleixappeals@jerseycollege.edu with a confirmation receipt; (ii) regular or express mail addressed to Jersey College, Attention: Title IX Appeal Board, 546 US Highway 46, Teterboro, NJ 07608; or (iii) hand-delivered to the Campus Director. Submission of the Title IX Appeal Request Form is mandatory, and appeals will not be reviewed without it.

The time for a Title IX Appeal shall be offered equitably to all Title IX Parties and shall not be extended for any Title IX Party solely because the other Title IX Party filed an appeal. Failure to submit a Title IX Appeal within the five (5) business day period forfeits the right to appeal under this policy, regardless of the outcome of the other party's appeal.

If either Title IX Party submits a Title IX Appeal, the Title IX Compliance Coordinator will as soon as practicable notify the other Title IX Party in writing that a Title IX appeal has been filed and the grounds of the Title IX appeal. The non-appealing party may submit a written response within five (5) business days after notice of the Title IX appeal. If both the Title IX Complainant and Title IX Respondent appeal, the Title IX appeals will be considered concurrently.

Title IX Appeal Board Formation

Formation of the Title IX Appeal Board is not automatic and depends on the Chancellor (or appointee) determining, within twenty (20) business days of receiving the appeal, that the request presents a prima facie case of a Title IX Actionable Error. If no prima facie case is established, the appeal is denied, and the Title IX decision stands as final. If approved, the Title IX Appeal Board will be convened within ten (10) business days of the Chancellor's (or appointee's) determination.

Title IX Appeal Board Composition

Appeals of Title IX Determinations are adjudicated by an appeal board, a three-member panel composed of composed of the Chancellor of the College, the Provost of the College and the Associate of Vice President of Academic Services (or other designees appointed by the Chancellor) (the "Title IX Appeal Board"). The Chancellor (or designated appointee) shall oversee the Title IX Appeal. The Chancellor (or designated appointee) is responsible for (i) determining that the Title IX Appeal request includes facts and/or documentation that present a prima facie case of a Title IX Actionable Error; (ii) confirming and if necessary appointing the members of the Title IX Appeal Board; and (iii) overseeing the Title IX Appeal process.

Title IX Appeal Board members must be free from material conflicts of interest or biases, such as direct, personal, and substantial pecuniary interest, close personal relationships with involved parties, or prior significant involvement in the matter.[113] Individuals with such conflicts or biases must recuse themselves to maintain the integrity of the process.[114]

Title IX Appeal Board Authority

The Title IX Appeal Board's role is not to re-evaluate the merits of the original case but to determine whether a Title IX Actionable Error occurred that materially affected the Title IX Determination. A Title IX Actionable Error is defined as:

- A procedural irregularity that materially affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination was made and that would have affected the outcome of the decision; and/or
- A conflict of interest or bias by the Title IX Compliance Coordinator, Title IX Investigator, or Case Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

Disagreement with the Title IX Determination or its sanctions does not constitute grounds for an appeal. The fact that any criminal charges based on the same conduct were dismissed, reduced, or resolved in favor of the Title IX Respondent does not require, and will not necessarily result in, a change in the disciplinary decisions and/or sanctions.

The Title IX Appeal Board lacks authority to review appeals related to: (i) Institutional Determinations, (ii) Financial Assistance or Satisfactory Academic Progress (SAP) Warnings, (iii) Admissions decisions, (iv) Civil Rights Matters or (v) Other matters outside the scope of Civil Rights Actionable Errors.

Title IX Appeal Hearings Procedures

Title IX Appeals are decided upon the record of the original proceeding and any written information submitted by any of the parties in the appeal. In preparation for a Title IX Appeal, the Title IX Respondent and Title IX Complainant may have access to the recording of the Title IX Hearing. The Title IX Appeal Board may solicit written clarification on any issue raised on appeal from the Case Decision-Maker assigned to the case, the Title IX Compliance Coordinator, the Title IX Investigator, the Title IX Complainant, or the Title IX Respondent.

The appealing party in a Title IX Appeal must demonstrate the existence of a Title IX Actionable Error by clear and convincing evidence, meaning the evidence must be highly and substantially more likely to be true, instilling a firm belief in its validity. The Title IX Appeal Board retains discretion to assess the relevance and weight of evidence.

Title IX Appeal Decisions

The Title IX Appeal Board's purpose is to identify whether a Title IX Actionable Error occurred, not to reassess the case's merits. As such, by majority vote, the Title IX Appeal Board will:

- Affirm the Title IX Determination if no Actionable Error is found; or
- Remand the case for re-evaluation and adjudication by the Title IX Adjudicator if a Title IX Actionable Error is determined to exist.[115].

The Title IX Appeal Board will deliver a written decision to all involved parties within 30 calendar days of completing its review of the record and submitted information, unless the board determines an extension is necessary.

SAP Appeals

Students on SAP Warning who are ineligible to receive financial aid due to failure to meet SAP or the 150% maximum time frame in the subsequent payment period may appeal the withdrawal determination and seek reinstatement per the policies under "Satisfactory Academic Progress."

Other Appeals

If students are not satisfied with the outcome of an institutional appeal, students may file inquires or complaints with:

- The Commission of the Council on Occupational Education at Council on Occupational Education, 7840 Roswell Road, Bldg. 300, Suite 325, Atlanta, Georgia 30350, www.council.org, or (770) 396-3898; and/or
- Regulatory bodies (see "State Policies - Complaints")

113 Participation or involvement in a matter, including actions taken in the normal course of a person's job, does not, by itself, create a conflict of interest or bias. A conflict of interest or bias exists only when there significant, direct and material involvement in the matter, such as conducting the investigation, rendering the decision or a party directly engaged in the Title IX matter. Disqualification is justified only if these actions clearly compromise the fairness or impartiality of the proceedings. For clarity purposes, the following individuals are deemed to be significantly involved in a Title IX matter: the Title IX Investigator, Title IX Compliance Coordinator, and Case Decision-Maker in the same matter.

114 Employment, agency, or other contractual relationships with the College do not inherently constitute a bias or a conflict of interest, and therefore individuals with such affiliations may participate in Title IX Appeals.

115 If the Title IX Actionable Error involves a conflict of interest or bias, the case will be remanded, the conflicted or biased individual will be replaced, and the proceedings will resume from the point where such individual became involved with the matter. Appointments will adhere to the Title IX Complaint Process procedures.

National Council (NC) for State Authorization Reciprocity Agreement (SARA)

- Complaints against an Institution operating under SARA policies go first through the Institution's own procedures for resolution of grievances. Allegations of criminal offenses or alleged violations of a State's general-purpose laws may be made directly to the relevant State agencies.
- Complaints regarding student grades or student conduct violations are governed entirely by institutional policy and the laws of the SARA Institution's Home State.
- If a person bringing a Complaint is not satisfied with the outcome of the institutional process for handling Complaints, the Complaint (except for Complaints about grades or student conduct violations) may be appealed, within two years of the incident about which the Complaint is made, to the SARA Portal Entity in the Home State of the Institution against which the Complaint has been lodged. That Portal Entity shall notify the SARA Portal Entity for the State in which the student is located of receipt of that appealed Complaint. The resolution of the Complaint by the Institution's Home State SARA Portal Entity, through its SARA complaint resolution process, will be final, except for Complaints that fall under the last bullet in this section below.
- While the final resolution of the Complaint rests with the SARA Portal Entity in the Home State of the Institution against which the Complaint has been lodged, the Portal Entity in the complainant's location State may assist as needed. The final disposition of a Complaint resolved by the Home State shall be communicated to the Portal Entity in the State where the student lived at the time of the incident leading to the Complaint, if known.
- While final resolution of Complaints(for purposes of adjudication of the Complaint and enforcement of any resultant remedies or redress) resides in certain cases with institutions (Complaints about grades or student conduct violations), or more generally with the relevant Institution's Home State SARA Portal Entity(all other Complaints), the Regional Compact(s) administering SARA may consider a disputed Complaint as a "case file" if concerns are raised against a SARA member State with regard to whether that State is abiding by SARA policies, as promulgated in the SARA Manual. The Regional Compact may review such institutional concerns in determining whether a State under its SARA purview is abiding by SARA policies. Similarly, a Complaint "case file" may also be reviewed by NC-SARA in considering whether a Regional Compact is ensuring that its SARA member States are abiding by the SARA policies required for their membership in SARA.
- SARA State Portal Entities shall report quarterly to NC-SARA the number and disposition of appealed Complaints that are not resolved at the institutional level. NC-SARA shall make that information publicly available on its website. Such data will create transparency and can be used in determining whether a Regional Compact is ensuring that its SARA member States and those States' Institutions are abiding by the policies required for State membership and institutional participation in SARA.
- Nothing in the SARA Manual precludes a State from using its laws of general application to pursue action against an Institution that violates those laws.

SARA Institution's Home State Complaint Process

The Office of the Secretary of Higher Education (OSHE) will not review a complaint until all grievance procedures at the institution have been followed, all avenues of appeal exhausted, and documentation provided that such procedures have been exhausted. OSHE handles only those complaints that concern educational programs or practices of degree-granting institutions subject to the Regulations of OSHE.

OSHE does not:

- Handle anonymous complaints.
- Intervene in matters concerning an individual's grades or examination results as these are the prerogative of the College's faculty.
- Intervene in matters concerning tuition and fee refunds.
- Intervene in matters concerning student conduct violations.
- Intervene in human resources matters.
- Handle complaints concerning actions that occurred more than two years ago.
- Intervene in matters that are or have been in litigation.

Residents of other states and territories who are seeking information about filing a complaint about a New Jersey institution operating outside of New Jersey under SARA, as well as New Jersey residents seeking information about filing a complaint about an out-of-state institution operating under SARA can find more information by viewing the SARA Agreement (www.state.nj.us/highereducation/SARA.shtml).

Additional information regarding OSHE Complaint Process may be obtained at www.state.nj.us/highereducation/OSHEComplaintInstructions.shtml.