

POLICY CREATION, REVISION, AND COMMUNICATION (POLICY ON POLICIES)

RESPONSIBLE OFFICIAL: VICE PRESIDENT FOR LEGAL AFFAIRS/GENERAL COUNSEL

RESPONSIBLE OFFICE: OFFICE OF LEGAL AFFAIRS/GENERAL COUNSEL

EFFECTIVE DATE: 5/8/2013

MOST RECENT REVISION: XX/XX/XXXX

NEXT REVIEW DATE: MOST RECENT REVISION PLUS FOUR (4) YEARS – XX/XX/XXXX

BOARD OF REGENTS REPORTING (CHECK ONE):

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM):

PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

This Policy on Policies governs the development and approval of University policies at Northern Kentucky University (“University”). This process ensures that policies are properly developed and regularly updated to remain compliant with the law; are reviewed by and subject to input from relevant campus stakeholders; are easy to find, read, and understand; and align with the mission of the University.

A. UNIVERSITY POLICY DEFINED

A University policy is a statement of management philosophy and direction, established to provide guidance and assistance to the campus community in the conduct of University affairs. Policies typically address significant institutional matters that apply to all or a large portion of the campus community, and they are important statements of the institution’s values, operational principles and practices, and other matters of significance to the University. Thus, the policy development process must provide for thorough vetting of proposals in a manner that is transparent, efficient, collaborative, and consistent with the institution’s principles of shared governance.

The Board of Regents retains ultimate authority over governance and policymaking for the institution. All University policies must be consistent with applicable legal authorities and Board of Regents Bylaws, resolutions, and other directives.

B. POLICIES DISTINCT FROM PROCEDURES

This Policy on Policies does not apply to procedures, requirements, and standards that typically govern the functions or operations of individual colleges, offices, and units, or to procedures established to implement policies. Procedures and other unit-level requirements and guidelines must be consistent with relevant University policies. In the event of a conflict, the University policy will control.

C. FACULTY HANDBOOK AND SIMILAR DOCUMENTS

Policies within the scope of the Faculty Policies and Procedures Handbook (Faculty Handbook), Department Chair / School Director Handbook, Faculty Senate Constitution, Staff Congress Constitution, Student Government Association Constitution, the Community Standards and Student

Rights document, as well as internal unit bylaws and handbooks, are not subject to this Policy on Policies but may be subject to processes described in those documents.

This Policy on Policies does not supersede requirements established in the Faculty Handbook and the Faculty Senate Constitution. Appendix C to the Faculty Handbook, [Collegial Governance at NKU](#), requires good faith consultation regarding policies, delegation to faculty bodies of primary responsibility for recommendations in academic matters, and, in the event such recommendations are not accepted, a written response articulating compelling reasons for the decision. The [Faculty Senate Constitution](#) requires a dialogue between the Senate and the President or designee in cases of disagreement regarding Senate policy recommendations. These steps are to be observed in addition to the requirements described in this Policy on Policies.

D. EXECUTIVE POLICY COMMITTEE; RESPONSIBLE OFFICIAL

The policy process is administered by the Executive Policy Committee (“Committee”), which consists of University administrators designated by the President. The Committee also is charged with advising the President on policy matters. The Committee may determine the manner in which it conducts the activities described in this policy and is not required to hold formal votes. The Committee works closely with the “Policy Coordinator,” who is designated by the Committee, manages the day-to-day policy process at the Committee’s direction, and performs other responsibilities described in this Policy on Policies.

Each policy must identify one or more “Responsible Official(s),” typically a vice president or position of similar authority, who is charged with implementation, enforcement, interpretation, and administration of the policy.

E. POLICY DEVELOPMENT PROCESS

Policy proposals, including both new University policies and revisions to existing University policies, must be reviewed and, if appropriate, approved and adopted using the process described herein. Proposed revisions to this Policy on Policies are also subject to this process.

The process consists of the following steps, which are described in more detail below:

Step 1: Policy proposal is initiated by submitting a Policy Request Form and draft policy or revision.

Step 2: The Committee reviews the proposal and ensures appropriate communication with relevant stakeholders.

Step 3: The Committee distributes the policy proposal for comment and incorporates feedback.

Step 4: The President and the Board of Regents (when required) review and consider the proposed policy for final approval.

Step 5: The Policy Coordinator communicates the policy to campus.

Step 1: Policy proposal is initiated by submitting a Policy Request Form and draft policy or revision.

Policy proposals may be initiated by the President, any member of the President's Cabinet, the Faculty Senate, Staff Congress, and the Student Government Association. University colleges, departments, committees (including policy committees), offices, and other units typically must initiate proposals through their governance group or vice president.

To initiate a policy or revision, the initiator must submit a completed Policy Request Form and proposed draft policy or policy revision to the Policy Coordinator. The form is available in the [Policy Toolkit](#) on the [NKU policy site](#).

Initiators are strongly encouraged to seek appropriate feedback and input from relevant stakeholders before submitting a policy proposal.

Throughout the policy process, the initiator must cooperate with reasonable requests by the Committee and Policy Coordinator to provide more information.

Step 2: The Committee reviews the proposal and ensures appropriate communication with relevant stakeholders.

After a policy is initiated, the Committee will review the proposal in consultation with the Policy Coordinator. The Committee may recommend appropriate revisions to a draft, for example, to align the proposal with other existing policies, to achieve compliance with law and other external binding authorities, to ensure that decisions and actions contemplated by the policy are made by the appropriate office(s) in a responsible manner, and to better reflect operational needs and constraints.

The Committee must ensure that relevant stakeholders are consulted regarding policy proposals. For example, the Committee may request that the initiator consult with particular campus units about a specific proposal. Also, during this process, the Committee and the Policy Coordinator must communicate regularly with Faculty Senate, Staff Congress, and the Student Government Association, through their designated representatives and committees, regarding the status of policy proposals and the content of specific proposals that may be of particular interest to, or within the expertise of, those governance groups. In the case of policy proposals by a governance group, such consultation already may have occurred.

After the Committee reviews the proposal, and after any steps requested by the Committee are completed, the Committee must advise the President whether the proposal should be distributed for campus comment (Step 3, below).

The President has final authority to decide whether a proposal is to be distributed for campus comment. Alternatively, the President may direct other action with respect to the proposal before it is distributed.

Step 3: The Committee distributes the policy proposal for comment and incorporates feedback.

Before a policy proposal may be adopted, it must first be distributed to the Faculty Senate, Staff Congress, and the Student Government Association and must be posted to the University's policy listserv and website. Comments also may be invited from specific University committees and groups, depending on the subject matter of the proposal.

The Policy Coordinator will manage these communications, as directed by the Committee, to ensure widest possible distribution of the proposed policy to the campus.

Proposed policies must be distributed and posted for comment for at least thirty (30) calendar days. Any member of the University community may request that the Policy Coordinator extend the comment period for a particular policy for good cause, and such requests must not be unreasonably denied. In consultation with the Committee, the Policy Coordinator may approve or decline such request in the Policy Coordinator's discretion.

At the direction of the Committee, the Policy Coordinator shall maintain an electronic system (e.g., survey distributed via policy listserv) to receive written comments from University employees and students. University governance groups may manage their internal processes for collecting and sharing feedback from their constituents in the manner they see fit.

The Committee shall review and consider all comments, in consultation with the initiator. The Committee may recommend modifications to the proposed policy based on those comments.

The Policy Coordinator may consult with the Committee and policy initiator(s) in responding to individual commenters regarding their questions and concerns. The Committee may publish responses to significant comments of general campus interest.

Where modifications to a previously circulated proposal constitute a significant change to its core purpose, requirements, or scope, then the Committee must re-circulate a policy proposal for an additional thirty-day comment period. In other cases, the Committee may re-circulate a policy proposal for additional comment in its discretion.

After the comment and review process is complete, the Committee must recommend to the President whether the proposal should be approved, not approved, or modified based on comments.

Step 4: The President and the Board of Regents (when required) review and consider the proposed policy for final approval.

After receiving the policy proposal and the Committee's recommendation, the President may approve the proposal (with or without modifications), decline to approve the proposal, or direct other appropriate consultations or action.

Unless Board approval is required, a proposed policy is considered to be adopted and effective upon approval by the President, unless otherwise specified in the policy.

For policies requiring Board of Regents approval: Certain policy proposals require approval by the Board of Regents in order to be effective, as described in Section I.G below. If the President approves the proposed policy, then the President will promptly forward the policy to the Board for its

consideration, with the President's recommendation. The Board may vote to approve or decline to approve the proposed policy, or it may take no action. Policies requiring Board approval are considered to be adopted and effective upon approval by the Board, unless otherwise specified.

Step 5: The Policy Coordinator communicates the policy to campus.

After a policy is adopted, the Policy Coordinator will publish it on the University's policy website and will send notifications to designated representatives of Faculty Senate, Staff Congress, the Student Government Association, and the policy listserv. Significant new or revised policies may be communicated more broadly to the campus or other affected units.

All policy proposals approved by the President that do not require Board approval must be reported to the Board of Regents via a Policy Report. The Policy Coordinator will prepare these reports.

The Responsible Official also must communicate the policy to units as necessary to ensure its implementation.

F. EFFECT OF APPROVAL

Proposals approved in accordance with this Policy on Policies constitute official University policies that govern the conduct of University operations and are effective upon final approval, unless otherwise specified in the policy.

University policies approved pursuant to this process are not contracts and do not constitute contractual language. The University may revise or retire such policies at any time in accordance with the process described herein.

G. BOARD OF REGENTS POLICIES AND REPORTS

The Board of Regents is entrusted by Kentucky law with governance of the University, which includes strategic policymaking functions. At the same time, the Board recognizes the importance of exercising oversight while delegating management and operational matters to the President, administration, and faculty bodies in accordance with the University's governing documents. Except for policies requiring Board approval as described below, authority to approve other policies is hereby delegated to the President. This delegated authority includes responsibility for implementing Board policies and establishing other policies for performance of administrative responsibilities.

Accordingly, certain policies require approval by the Board, either because of their strategic significance or due to legal or other external requirements. Such policies include the following:

- The policy establishes or substantially modifies a major university strategic initiative;
- The policy relates directly to the Board's fiduciary responsibilities and/or performance of its governance functions;
- The policy is associated with an issue of significant institutional risk; and/or
- The policy must be approved by the Board of Regents due to legal or other external requirements.

The President, in consultation with the General Counsel, is responsible for determining whether policy proposals require approval by the Board. The President retains sole authority and responsibility for recommending policies to the Board for approval. Revisions to policies that were previously approved

by the Board must also be approved by the Board, unless they are editorial or other minor revisions (see Section I.H below).

In addition, the Board may initiate governing policies in furtherance of its own responsibilities. These policies may be established within the Bylaws or in a separate policy. Proposed Board governing policies are not subject to this Policy on Policies, but campus bodies and offices with an operational interest in the subject matter of the proposal may be invited to provide input.

All new policies, revisions to current policies, and retirement of current policies approved by the President shall be presented to the Board by the President as an information item.

H. MINOR REVISIONS AND EDITORIAL REVISIONS

The President, on recommendation by the Committee, may approve minor revisions to policies without completing the process described in Section I.E above. Minor revisions are those that do not materially alter the scope, effect, or requirements of the policy, including the addition of supporting clarifications and explanations. Minor revisions must be posted to the policy website.

Editorial revisions are non-substantive changes, including edits to correct grammar, spelling, formatting, and to update links and employee titles. Editorial revisions may be made by the Policy Coordinator and must be noted in the policy and documented in the policy records.

I. POLICY RETIREMENTS

Policies may be retired by following the same procedures required for adoption of new policies or revisions, as described in Section I.E above.

J. INTERIM POLICIES

In exceptional cases, the President may approve interim University policies and revisions in order to address urgent health, safety, legal, compliance, and/or operational needs within a time-period that does not allow for complete drafting and review as outlined in this policy.

Interim policies and revisions will be distributed to Faculty Senate, Staff Congress, and the Student Government Association, and through the policy listserv, within ten (10) days after interim approval. Interim policies may remain in effect for no longer than nine (9) months. Interim policies and revisions may be made permanent via the process described in Section I.E above.

K. PERIODIC POLICY REVIEWS

The Policy Coordinator will manage periodic reviews of each policy to ensure that it remains consistent with institutional needs, legal requirements, and best practices. A typical review period is four (4) years. Proposed revisions arising from these reviews, and revisions to this Policy on Policies, may be adopted only through the process described in Section I.E above, except for editorial and other minor revisions permitted by this policy.

L. RECORDS; POLICY WEBSITE

The Policy Coordinator shall maintain all records documenting the University's policy process, including policy proposals and drafts, records reflecting distribution of proposals to governance groups, and records reflecting approvals by the Board of Regents, the President, and the Committee. Such records will be retained according to the University's records retention schedule.

The Policy Coordinator also will maintain an up-to-date website that publishes the University's official policies.

II. ENTITIES AFFECTED

All NKU employees, divisions, and students.

III. AUTHORITY

[NKU Board of Regents Bylaws Article II Section A and Article III Section B](#)

[Southern Association of Colleges & Schools Commission on Colleges \(SACSCOC\) standards](#)

IV. REFERENCES AND RELATED MATERIALS

REFERENCES & FORMS

[NKU policy website](#)

[NKU Policy Toolkit](#)

[Community Standards & Student Rights](#)

[Faculty Policies and Procedures Handbook](#)

[Faculty Senate Constitution](#)

[Staff Congress Constitution](#)

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Revision	
Revision	September 12, 2018
Revision	June 24, 2014
Policy	May 8, 2013

POLICY CREATION, REVISION, & COMMUNICATION (POLICY ON POLICIES)

PRESIDENTIAL APPROVAL

PRESIDENT

Signature

Date

Cady Short-Thompson

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the ***Presidential Report (information only)***.
Date of Board of Regents meeting at which this policy was reported: ____/____/____.
- This policy was forwarded to the Board of Regents as a ***Presidential Recommendation (consent agenda/voting item)***.
 - The Board of Regents approved this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing approval of policy.)
 - The Board of Regents rejected this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

SECRETARY TO THE BOARD OF REGENTS

Signature

Date

Tammy Knochelmann