

# POLICY CREATION, REVISION, RETIREMENT, AND COMMUNICATION

**POLICY NUMBER:** HYB\_POLICYCREATION

**POLICY TYPE:** HYBRID

**RESPONSIBLE OFFICIAL TITLE:** VICE PRESIDENT FOR LEGAL AFFAIRS & GENERAL COUNSEL AND EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS/PROVOST

**RESPONSIBLE OFFICE:** OFFICE OF GENERAL COUNSEL AND/OR PROVOST

**EFFECTIVE DATE:** UPON BOARD OF REGENTS APPROVAL – 9/12/2018

**NEXT REVIEW DATE:** BOARD OF REGENTS APPROVAL PLUS FOUR YEARS – 9/12/2022

**SUPERSEDES POLICY DATED:** 6/24/2014

**BOARD OF REGENTS REPORTING (CHECK ONE):**

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM):

PRESIDENTIAL REPORT (INFORMATION ONLY)

## I. POLICY STATEMENT

A policy is a statement of management philosophy and direction, established to provide guidance and assistance to the university community in the conduct of university affairs.

A university policy:

- Is a governing principle that mandates or constrains actions;
- Has institution-wide application;
- Changes infrequently and sets a course for the foreseeable future;
- Helps ensure compliance with applicable laws and regulations;
- Reduces institutional risk; and
- Is approved at the executive levels of the university (president, provost, vice presidents) or Board of Regents (See “Section VI: Board of Regents Approval” below).

The policy process will be transparent, honor shared governance by seeking participation from stakeholders, have a mechanism for timely evaluation and improvement, and strengthen efficiency.

## RATIONALE

The purpose of this policy is to define the steps to create, revise, and communicate university policies. Using this consistent process and format will ensure that university policies are properly developed and regularly updated to remain compliant with the law; are easy to find, read, and understand; and are aligned with the academic mission of Northern Kentucky University (NKU) as an institution of higher education.

## II. ENTITIES AFFECTED

All employees, divisions, and students of the University.

## 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. DEFINITIONS

**University Open Comment Period:** A period of time allotted, as part of the policy development and review process, to allow members of the University community to comment on proposed policies. University Open Comment Periods include weekends and holidays.

**Responsible Official:** A member of the President's Cabinet with a direct reporting line to the President whose authority covers the subject matter of the policy. If a proposed university policy (or substantive revision of an existing policy) involves matters within the purview of more than one Responsible Official, the Responsible Official initiating the policy proposal or revisions should consult and coordinate with other such official(s).

**Drafter/Drafting Team:** An individual or small workgroup formed for the purpose of writing and editing a policy draft, placing that draft in the policy template, and incorporating feedback from stakeholders and Responsible Official(s) into draft and revised policies. The Drafting Team may or may not include the Policy Initiator.

**Policy Initiator:** Any faculty member, staff member, or student who identifies a university-level issue and submits a Policy Request Form. A Policy Initiator may be an individual representing themselves, an individual representing a university department, governing body such as Staff Congress or Faculty Senate, or an individual representing another group, such as an employee resource group.

**Procedures:** Guidelines or series of interrelated steps taken to help implement the policy. Unless necessary to implement the policy, procedures are not considered part of the policy. University procedures:

- Identify and link to the applicable university policy
- Are written in a clear format, using numbers or bullets to delineate steps to be followed
- Are reviewed and updated as necessary to ensure agreement with the policy's most recent revision, and
- Do not require formal approval by senior university officials.

**Major Revision:** A revision that, as implemented, would result in a significant material change to university operations or the nature of behavior of a significant number of employees. Combining two or more policies and separating policies are considered major revisions.

**Minor Revision:** A revision that, as implemented, would be limited in scope to either a small number of employees or would be insignificant in the operations of a particular department.

**Editorial Revision:** A revision that does not have a material effect on the behavior of employees or operations of the university. Examples would be grammatical clarifications, changes to employee titles or contact information, corrections of misspellings, or website/link corrections.

**Policy Type:** A policy type is determined by the expected nature and scope of the policy and mandates the procedural steps through which the policy draft in question moves. There are six policy types:

**Academic Policy:** A policy where scope of enforcement primarily affects the faculty alone.

**Graduate Council Policy:** A policy where the scope of enforcement primarily affects matters of graduate level education, students, or graduate faculty alone.

**Academic & Admissions Policy Committee (AAPC) Policy:** A policy where the scope of enforcement primarily affects enrollment or admissions activities of the university.

**University Curriculum Committee (UCC) Policy:** Changes to academic curriculum or courses.

**Hybrid Policy:** A policy where the scope of enforcement affects faculty plus staff and/or students, but is not otherwise classified as an administrative policy. All hybrid policy types must be reviewed by Legal and Compliance.

**Administrative Policy:** A policy where the scope of enforcement affects matters related only to the administrative activities of the university (examples include Key Control, Parking, Service and Assistance Animals). All administrative policy types must be reviewed by Legal and Compliance.

## V. RESPONSIBILITIES

### A. Responsible Official

1. Identifies the need for a university policy within his/her area of authority;
2. Directs and supports a Policy Initiator through the policy creation/review process;
3. Reviews and incorporates stakeholder comments as appropriate;
4. Communicates and enforces the approved policy; and
5. Ensures proper training is provided as needed.

### B. Policy Initiator/Drafting Team

1. Completes and submits the Policy Request Form with the support of the Responsible Official;
2. Upon approval of the Policy Request Form, drafts or revises the proposed policy;
3. Incorporates stakeholder comments with the assistance of the Responsible Official; and
4. Participates in the communication, enforcement, and training for the new/revised policy.

### C. Office of Legal Affairs & General Counsel and the Office of Compliance & Institutional Ethics

1. Informs Responsible Officials and the Policy Coordinator of the need for new/revised policies to comply with current laws, regulations, and best practice;
2. Reviews all administrative policies and certain other policies as deemed appropriate by the Provost, prior to the University Comment Period to ensure compliance with current laws, regulations, and best practice;
3. Recommends to the President whether a draft policy/revision/retirement should be approved by the Board of Regents.

### D. Office of Legal Affairs and General Counsel

1. Drafts Presidential recommendation of policies for Board of Regents approval.

### E. University Policy Administrator (designated by the President)

1. Enforces this policy and, in conjunction with the Provost, makes a final determination regarding categorization of policies;
2. Facilitates and enforces the University Comment Period;
3. Maintains the current and archived policies;
4. Maintains the university policy website;
5. Coordinates the responsibility of the President's Cabinet in the policy development and revision process; and
6. Communicates newly enacted, retired, or revised policies that do not require Board of Regents approval to the Board of Regents via Presidential Report.

### F. President

1. Makes final determination if a policy draft/revision requires approval by the Board of Regents
2. In cases where Board of Regents approval is not needed, is the final signatory authorizing university policy.

## VI. BOARD OF REGENTS APPROVAL

Per the approved minutes of the January 2015 regular meeting of the Northern Kentucky University Board of Regents:

- All new policies, revisions to current policies, and retirement of current policies approved by the President shall be presented to the Board of Regents by way of Presidential Report.
- Policies that require Board of Regents approval shall go to the Board by way of consent agenda item when the draft meets the following criteria:
  - The policy identifies a major university strategic initiative;
  - The policy involves the Board's fiduciary responsibilities;
  - The policy is associated with an issue of significant risk; and/or
  - The policy must be approved by the Board of Regents for legal or compliance purposes.
- The President retains sole authority and responsibility among university faculty and staff for referring policies to the Board of Regents for approval.

## VII. REPORTING REQUIREMENTS

**University Policy Administrator (designated by the President):** Ensures that all policies approved in finality (whether by Presidential or Board of Regents approval) and the date of approval are communicated and accessible to all members of the university community.

## VIII. EXCEPTIONS

### A. Interim Policies:

1. Under extenuating circumstances, Responsible Officials may request interim university policies when new or substantial revision to a policy is needed within a time-period that does not allow for complete drafting and review as outlined in this policy.
2. Extenuating circumstances include external compliance deadlines, issues relating to the potential safety or well-being of the university community, or as needed to facilitate orderly and efficient campus operations.
3. The Responsible Official may draft a policy and seek approval from the President on an interim basis after review by the compliance officer and university counsel. Review of interim policies by internal governing bodies or through the university open comment period is subject to the discretion of the President.
4. Interim policies will remain effective for up to six months, which may be extended by the President for good cause. Thus the Responsible Official will initiate the procedural steps outlined above to draft a new policy as soon as practical.

### B. University Open Comment Period:

1. For administrative policies, the University Open Comment Period shall not be shorter than 14 days and may be extended by written request by the Responsible Official from the University Policy Administrator.
2. For hybrid policies, the University Open Comment Period shall not be shorter than 45 days, except in the case of an interim policy.

## IX. COMMUNICATIONS

All policy notifications (including major announcements, approvals/revisions/retirements, and open comment periods) are communicated to the university community by the University Policy Administrator.

## X. REFERENCES AND RELATED MATERIALS

### REFERENCES & FORMS

Policy Toolkit (<https://inside.nku.edu/policy/policy-toolkit.html>)

NKU Policy Approval Procedures (<https://inside.nku.edu/content/dam/policy/docs/toolkit/Policy-Approval-Procedures-1-23-2018.pdf>)

### RELATED POLICIES

NKU Board of Regents Meeting Minutes – January 2015 Regular Meeting

### REVISION HISTORY

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

# POLICY CREATION, REVISION, RETIREMENT, & COMMUNICATION

## PRESIDENTIAL APPROVAL

### PRESIDENT

Signature



Date 6/25/18

Gerard St. Amand

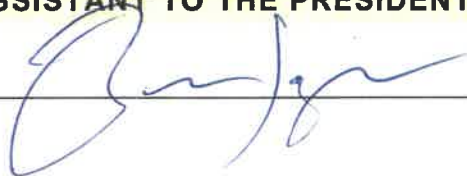
## BOARD OF REGENTS APPROVAL

### 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 9 / 12 / 18.  
(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.)

### EXECUTIVE ASSISTANT TO THE PRESIDENT/SECRETARY TO THE BOARD OF REGENTS

Signature



Date

9.18.18

Benjamin Jager