Eastern Kentucky University Policy and Regulation Library	University Policy: 1.1.1POL Responsible Office(s): University Counsel Effective: June 17, 2021 Next Review Date: Summer 2026

University Policy: 1.1.1POL
Policy on Policies and Regulations

Statement

Pursuant to Kentucky Revised Statutes 164.350(2), it is the duty of the Board of Regents to adopt bylaws, rules, and regulations for the governance of the University. At Eastern Kentucky University, the Board of Regents has declared that the University shall be governed by Board-adopted University Policies ("Policies") and a University-adopted Regulations ("Regulations"). It is the expectation of the Board of Regents that the President and the administration will develop a system of Regulations that implement the Policies or that manage routine operations of the University. By way of this Policy, the Board of Regents hereby establishes the Policy and Regulation development and approval process. The Board retains full Policy-making authority at and hereby delegates to the President the authority to approve internally developed Regulations. University Counsel, in consultation with the President's Cabinet, will determine the appropriate categorization of Policies and Regulations.

Eastern Kentucky University, through the practice of shared governance, formally develops, approves, disseminates, implements, and maintains University Policies, Academic Regulations, and Administrative Regulations, as defined in this document, through a uniform process which includes development, revision, approval and dissemination. All members of the University community may be involved in developing, updating, recommending, and disseminating University Policies and/or Regulations, and, thus, must adhere to the precepts set forth in this policy.

Eastern Kentucky University will be guided by the following principles:

- Policies and Regulations will
    - support the University's mission, values, initiatives, and strategic goals;
    - be designed to encourage students' success in achieving their goals while at the same time be intended to maintain the mission of a high quality educational experience;

- o align authority with responsibility and accountability;
- o comply with applicable federal and state and local laws and regulations as well as accrediting standards; and
- o be consistent with other university policies;

- The Policy and Regulation development process will
  - o be transparent;
  - o honor shared governance by seeking participation from stakeholders;
  - o have a mechanism for evaluation and improvement in a timely manner; and
  - o minimize bureaucratic gridlock.

Entities Affected

Entire University Community, including all campuses and extended sites.

Procedures

UNIVERSITY POLICY AND REGULATION ORIGINATING, VETTING, AND APPROVAL PROCESS

Any University Community member may identify the need for a new Policy or Regulation or the revision thereof. The following steps must be followed:

POLICY AND REGULATION ORIGINATION

1) The University Policy Designee shall be informed of the need for a new Policy or Regulation or the need for substantive revision of a current Policy or Regulation. When a member of the University Community identifies the need for a new Policy or Regulation, an Impact Statement shall be submitted to the University Policy Designee, which shall include: the justification for the new Policy or Regulation, or the revision to an existing Policy or Regulation, and a description of its potential impact on the campus community, including a description of any anticipated financial or budgetary impact. A draft of the new Policy or Regulation may be submitted with the Impact Statement but is not required.

2) The University Policy Designee will review the Impact Statement, if applicable, and will work with the Policy Originator and the President's Cabinet to confirm the need for the new Policy or Regulation, or revisions thereto, and the appropriate categorization, as outlined below:

   a. University Policy: A Policy which applies institution-wide and is directly tied to the legal compliance of the University.

   b. Academic Regulations: Regulations which apply specifically to academic matters of the University, including faculty-related issues, and require the approval of University Counsel, the Provost, the Provost Council, and the

President. Academic Regulations may be approved at any time during the calendar year, with implementation taking place as appropriate.

 c. <u>Administrative Regulations</u>: Regulations which may, but are not required, to apply institution wide and require approval from University Counsel, the President's Cabinet, and the President. Administrative Regulations may be approved at any time during the calendar year, with implementation taking place immediately upon approval or as appropriate.

 d. <u>Human Resources Regulations</u>: A subset of Administrative Regulations, these Regulations apply institution wide and require approval from University Counsel, the Executive Director of Human Resources, and the President. These Regulations are not subject to a public comment period. Human Resources Regulations may be approved at any time during the calendar year, with implementation taking place immediately upon approval or as appropriate.

3) The University Policy Designee will form a Drafting Team consisting of those representative stakeholders most directly affected by the Policy or Regulation, including, when appropriate, student representatives.

4) With the facilitation and support of the University Policy Designee, the Drafting Team will develop the draft Policy or Regulation, or make revisions thereto, in the approved, accessible format. Thereafter, the Policy or Regulation shall be vetted.

POLICY VETTING AND APPROVAL

5) <u>10-Day Public Comment</u>
Once complete, the Policy draft shall be posted on the Policy website for a 10-day public comment period. A memo summarizing the Policy, the entities affected, and a plan for implementation will accompany every Policy through the vetting process, including the public comment period. The University Policy Designee shall inform the President's Cabinet, Provost Council, Staff Council, and Executive Committee of the Faculty Senate every time a Policy is posted for 10-day public comment. The comment period shall include only business days when the University is open. The comment period will be extended if deemed necessary by the President. Comments received shall be routed to the appropriate stakeholders (i.e., President's Cabinet, University Counsel, the Drafting Team, etc.) by the University Policy Designee.

6) <u>Stakeholder Review</u>
The Drafting Team will submit the final draft Policy to the University Policy Designee, who will ensure appropriate review and vetting by University stakeholders.

7) <u>Policy Review</u>
The President's Cabinet shall review all Policies before being forwarded to the President. All Policies shall be presented to the Provost Council as information

items. Upon rare circumstances, either council may forward the draft Policy to additional stakeholders for review and recommendations, but not approval.

8) After the completion of vetting, the University Policy Designee will submit the Policy and its accompanying memo to the President.

9) Upon receiving a Policy draft, the President may:

   a. recommend approval and submission to the Board of Regents for adoption;

   b. not recommend approval and submission to the Board of Regents;

   c. take other action as the President deems appropriate.

10) Upon the recommendation of the President, the University Policy Designee will submit Policies to the Board of Regents, which has authority to approve University Policies.

11) Once a Policy is adopted, it will be posted on the University Policy website, and the University Policy Designee shall inform the President's Cabinet, Provost Council, Staff Council, and Executive Committee of the Faculty Senate. Policies will be codified in a manner that includes Volume, Chapter, and Section.

REGULATIONS VETTING AND APPROVAL
The Board of Regents delegates to the President the final approval authority for Academic and Administrative Regulations, which, except as noted below, follow the vetting process established above for University Policies.

Administrative and Academic Regulations may be presented to the Board as information items. All Administrative Regulations will be presented to the Provost Council, Staff Council and the Faculty Senate as information items. All Academic Regulations will be presented to the Faculty Senate as information items. Members of these bodies may provide feedback on Policy drafts either 1) individually via the University comment period process or 2) by submitting feedback to the Chair of their respective organization, who may provide feedback on behalf of the organization via the University comment period process.

ESTABLISHING AN INTERIM UNIVERSITY POLICY OR REGULATION
An interim Policy or Regulation may be established when either compliance with the law, compliance with an accrediting or governing body, or other circumstance necessitating a swift response arises and there is not time for the normal Policy or Regulation process to proceed. An Interim University Policy or Regulation will still be developed by a Drafting Team and will thereafter be submitted by the University Policy Designee, along with its accompanying memo, to the President for approval on an interim basis. The President's Council, the Provost Council, the Executive Committee of the Faculty Senate, and Staff Council will be notified when the President adopts such Interim Policy or Regulation.

An Interim Policy or Regulation must carry an expiration date of no more than one year from Presidential approval and will either be allowed to expire without additional action, be extended one time for a specific period upon special permission from the President, or be replaced by a standard University Policy or Regulation, which is vetted through the process as stated within this Policy.

UPDATING OR REVISING A UNIVERSITY POLICY OR REGULATION
On an as-needed basis, the University Policy Designee may make non-substantive or editorial changes (including but not limited to position or unit titles, links, etc.) to University Policies and Regulations. The University Policy Designee will note the date of such changes on the Policy or Regulation and notify the President's Council, the Provost Council, Staff Council, and the Executive Committee of the Faculty Senate.

Procedures for substantive revisions to an existing Policy are the same as the Policy originating, vetting, and approval process as stated above.

When compliance with the law or any accrediting body mandates revision of a Policy, the University Policy Designee will make such revisions and submit to University Counsel for review and approval. Once approved, the University Policy Designee will notify the President's Council, Provost Council, Staff Council, and Executive Committee of the Faculty Senate.

IMPLEMENTING, DISSEMINATING, AND TRAINING
Unless otherwise stated in this Policy, a Policy is in effect immediately after it is adopted by the Board of Regents. Once adopted, the University Policy Designee will ensure that the Policy is disseminated to the University Community. The Responsible Office(s) will establish any support systems to train the community to ensure implementation and ongoing compliance.

INTERPRETING A UNIVERSITY POLICY OR REGULATION
When questions or conflicts arise concerning the application, compliance, or scope of a Policy or Regulation, the affected parties will provide the details of the question or conflict in writing to University Counsel who, in consultation with the President's Cabinet, serves as the interpreting authority for all Policies and Regulations.

University Counsel will review the questions or conflicts in light of legal or accreditation requirements as well as any University precedent to ensure consistent interpretation. Once an interpretation has been determined, University Counsel will communicate the decision in writing to the appropriate parties.

PERIODIC REVIEW OF UNIVERSITY POLICIES AND REGULATIONS
A University Policy or Regulation should be reviewed on a periodic basis (a five-year cycle is recommended) to ensure its currency and accuracy. The Responsible Office will ensure the University Policies and Regulations under their jurisdiction are so reviewed. The following criteria should be considered:

- Continued relevance to the University mission and values;

- Consistency with other University policies;

- Reflection of changes in laws, regulations, accreditation standards, educational goals/practices, university practices, etc.;

- Errors in fact or in language; and

- Other potential issues.

If changes are deemed necessary, the appropriate process (revising, updating, or repealing) should be initiated.

REPEALING A UNIVERSITY POLICY OR REGULATION
If a Policy or Regulation is identified as no longer relevant or necessary, the same vetting process as was used in its origination shall be followed for its repeal, however, the Policy or Regulation is not required to be posted for comment. The Board of Regents' approval is required to repeal a University Policy and the President's approval is required to repeal a University Regulation.

ARCHIVING A UNIVERSITY POLICY OR REGULATION
If a Policy or Regulation is updated, revised, superseded, or repealed, the older version will be archived in University Archives.

DEPARTMENT/UNIT PROTOCOLS AND PROCEDURES
Protocols, and procedures that apply only to specific departments or units are not subject to this process. Departments, colleges, and units must ensure that all procedures and protocols are consistent with University Policies, Regulations, and protocols.

Definitions

- **Academic Regulation:** A Regulation which solely addresses the academic matters of the University and issues of faculty rights and responsibilities.
- **Administrative Regulation:** A Regulation which addresses administrative affairs of the University, including policies which have broader implications beyond academic or faculty issues, even if academic or faculty members are affected.
- **Drafting Team:** A drafting team is a small workgroup formed for the purpose of writing and editing a Policy draft within an approved, accessible format. Drafting teams will consist of representative stakeholders.
- **Effective Date:** The date the University Policy is approved by the Board of Regents or Interim Policy as approved by the President unless otherwise specified.
- **Interim Policy:** This is a provisional Policy issued when a University Policy is needed before the standard process can be completed. An Interim Policy must carry an expiration date and will either be allowed to expire without additional

action, be extended one more time for a specified period upon special permission from the President, or be replaced by a standard University Policy.

- **Policy:** A Policy which applies institution-wide and is directly tied to the legal compliance of the University. These Policies include, but are not limited to, topics such as equal opportunity, Title IX, ADA compliance, free speech, use of University resources, tuition and fees, and financial Policies. University Policies will be presented to the Board of Regents at their June and December meetings, with implementation at the beginning of the fall and spring semesters, respectively.
- **Policy Impact Statement:** Document to be completed by the Policy Originator describing the justification for developing a new Policy and the impact of such on the University.
- **Policy Originator:** An individual or group identifying a need for a Policy or Policy revision and assisting in the development of that Policy.
- **Recognized University Unit or Organization:** Examples include University Departments, RSO's, Student Government Association, etc.
- **Regulation:** University rule document that implements a University Policy or that manages routine operations of the University. Regulations are divided into two categories: academic and administrative.
- **Responsible Office(s):** University office(s) designated with the responsibility of administering a Policy or Regulation, communicating with and training the University Community regarding the Policy or Regulation requirements, and executing its timely review.
- **Shared Governance:** As it relates to this Policy, a joint effort of the university community for the development of University Policies.
- **Stakeholder:** Any individual or group who might be impacted by or might have knowledge related to a particular Policy.
- **University:** Eastern Kentucky University
- **University Community:** a representative from an administrative or academic unit; a committee, senate, association, or council; or an individual (student or employee) sponsored by a Recognized University Unit or Organization.

Responsibilities

- Board of Regents
  - o Review and approve all University Policies; ultimate Policy-making authority of the University.
- University Policy Designee
  - o Review Impact Statements and provide feedback to the Policy Originator(s).
  - o Identifies need for Policy or Regulation development or revision as needed.
  - o Facilitate the development and processing of University Policies and Regulations.

- o Serve on drafting teams as appropriate.
  - o Ensure that the University Community is trained concerning Policy and Regulation development.
  - o Maintain the University Policy website.
  - o Assist with the archiving of Policies and Regulations that have been revised, suspended, or superseded.
- Drafting Team
  - o Work with the Policy Originator and University Policy Designee to draft a new Policy or Regulation or make revisions to an existing Policy or Regulation.
  - o Use the approved, accessible template to create a Policy or Regulation draft.
  - o Edit Policy or Regulation draft based on input from review groups, stakeholders, and the university comment period, if appropriate.
- Policy Originators(s)
  - o Complete the Impact Statement, if applicable, and submit to the University Policy Designee.
- President
  - o Review and approve Regulations, or Interim Policy or Regulations as appropriate.
  - o Review and recommend Policies to the Board of Regents for approval.
- President's Cabinet
  - o Review all Policies and Regulations before they are sent to the President.
  - o Identify additional stakeholders as needed and seek input.
- Provost Council
  - o Review all Policies before they are sent to the President's Cabinet.
  - o Identify additional stakeholders as needed and seek input.
- Responsible Office(s)
  - o Be accountable for implementation of and compliance with Policy or Regulation.
  - o Conduct timely reviews of existing Policies and Regulations under their jurisdiction.
  - o Assist, as needed, in the development, updating, or revision of Policy or Regulation within their area of responsibility.
  - o Lead in the establishment of support systems needed to achieve compliance of Policies or Regulations.
  - o Inform and train the University Community concerning new and substantially revised Policies or Regulations.
- University Counsel
  - o Assist Drafting Teams, as needed, with issues that require a legal interpretation.
  - o Review all University Policies and Regulations for compliance with applicable federal, state and local laws and regulations as well as for consistency with other University Policies and Regulations.
  - o Make revisions, as necessary, to Policy and Regulations due to changes in law.

- o Make sound judgments on the intent of the when questions or conflicts arise concerning Policy/Regulation application, compliance, or scope.
- o Review precedents, if any, to ensure consistent interpretation.
- o Render an interpretation when called upon to do so and communicate the decision to the appropriate parties.
- o Document all interpretation decisions.

Violations of the Policy

Violations of this Policy may result in the delay of the approval process or in the official University recognition of the Policy's effect.

Policy Adoption Review and Approval

Policy Revised

Date	Entity	Action
June 17, 2021	Board of Regents	Adopted
December 2, 2020	Director of Policy Development	Editorial Revision
April 23, 2019	Board of Regents	Adopted
January 25, 2016	Board of Regents	Adopted
December 9, 2015	President Benson	Approved
November 4, 2015	Provost Council	Approved
October 5, 2015	Faculty Senate	Approved with amendment
August 31, 2015	Staff Council	Approved

Policy Issued

Date	Entity	Action
April 19, 2010	Board of Regents	Adopted
April 19, 2010	President Whitlock	Approved
April 16, 2010	Administrative Council	Approved
April 7, 2010	Provost Council	Approved
March 1, 2010	Faculty Senate	Approved
February 18, 2010	Council on Academic Affairs	Approved

Policy Issued

Date	Entity	Action
November 3, 2009 through May 1, 2010	President Whitlock	Extended effective date
November 10, 2008	President Whitlock	Adopted Interim Policy