02.100 PROTOCOL FOR ESTABLISHING POLICIES AND PROCEDURES

Authority: Chancellor

History: Revised April 12, 2007; adopted March 18, 2005; supersedes former Administrative Policy No. 0.0, “The Organization and Development of Administrative Procedures”

Source of Authority: UNC Code, Section 502

Related Links: UNC Policy Manual; Manual of Style for University Publications

Responsible Office: General Counsel

I. Purpose

For the university’s effective and orderly administration, this protocol is established for the adoption, revision, and publication of policies and procedures. Policies and procedures shall be posted to a dedicated, official Web site located within the university’s home page. Operating units, departments, or schools may develop internal policies and operating procedures for their use and may post these internal policies and procedures on their specific Web sites or in their handbooks, manuals, brochures and similar materials. For university-wide policies and procedures, units may provide links to the official university Web site dedicated to policies and procedures to assure the official and most current version is referenced and relied upon. Internal policies and operating procedures having application beyond the department, school or operating unit should be posted to or linked from the official policy and procedures Web site.

II. Authority

A. The Board of Trustees or one of its committees acting under authority delegated by the board shall adopt policies in accordance with The Code of The University of North Carolina (“The Code”), Appendix I, and pursuant to authority delegated by law or by the Board of Governors.

B. The chancellor may establish a policy:

1. Under the sole authority of the chancellor;
2. As a procedure to implement a policy of the Board of Trustees; or
3. As a procedure to implement a policy of the Board of Governors or a regulation of the Office of the President.
4. The chancellor’s policies may address matters of compliance with fiscal, academic, research, civil rights or other requirements imposed by federal, state or local laws, matters not specifically delegated to the Board of Trustees, and matters within the chancellor’s general responsibilities to manage the institution.

C. Operating units, departments, and schools may establish internal policies and operating procedures applicable to their units, but in no case shall they conflict with or supersede applicable federal and state laws, policies of the Board of Governors, The Code, or university policies and procedures established by the Board of Trustees and the chancellor. An internal policy and operating procedure must be approved by the senior officer and by the divisional vice chancellor or cabinet member to whom the unit reports prior to its establishment.

III. Procedures for Adoption and Revision of Policies and Procedures

A. Existing policies and procedures need not follow the process stated below, except for Section IV, provided that the revisions are reformatting, editorial or technical changes that do not materially affect the substance of the policy or procedure (e.g. updating titles; assigning numbers; correcting grammar, punctuation and typographical errors; editing for stylistic consistency; or changing monetary rates that are the result of federal or state laws). For material revisions to existing policies and procedures, the promulgation process stated below must be followed.

B. Non-discretionary revisions to policies and procedures based on federal or state law and regulations, Board of Governors or Board of Trustees policies or regulations issued by the Office of the President may be made by the responsible cabinet member after consultation with the chancellor, general counsel, and the chancellor’s cabinet without following the process stated below, except for Section IV.

C. New policies and procedures or revisions to existing policies and procedures must be sponsored by a vice chancellor or cabinet member. This individual becomes the sponsor of the proposal. Any senior officer, the Faculty Senate, Graduate Council, Staff Council, Student Government Association, or any university standing, advisory or ad hoc committee or task force may present policy and procedure proposals to the pertinent vice chancellor or cabinet member for sponsorship.

D. The Board of Trustees and the chancellor may establish policies on their own initiative without following the process stated below, except for Section IV.

E. Board of Trustee Authorized Policies
1. The assistant secretary to the Board of Trustees shall initiate or receive proposals for new policies or revisions to existing policies from a sponsor. The assistant secretary shall determine whether the policy is within the board’s authority.

2. Upon confirmation that the policy is within the board’s authority, the assistant secretary shall forward the policy to the general counsel for legal sufficiency review. After legal approval, the assistant secretary shall forward the policy to the chancellor’s cabinet for its consideration. If the cabinet recommendations adoption of the policy, the assistant secretary forwards the policy to the chancellor for action. The chancellor may take any action on a recommendation.

3. If the chancellor approves the recommendation, the assistant secretary shall assign a number to the policy. The assistant secretary shall then place the policy on the agenda for the next board meeting. The board may take any action on a proposed or revised policy. Upon approval by the board, the assistant secretary shall forward the approved policy to the general counsel who will authorize its publication on the official policy Web site.

4. If a policy requires further approval from the Office of the President, the responsible cabinet member shall within seven (7) business days of the board’s approval, forward the policy to the appropriate person at the Office of the President. Upon approval by the Office of the President, the responsible cabinet member shall forward the approved policy to the general counsel who will authorize its publication on the official policy Web site.

F. Chancellor Authorized Policies and Procedures

1. Proposals for new or revisions to existing policies and procedures are submitted for initial review to the responsible cabinet member. If the cabinet member concurs with the proposed new or revised policy or procedure, the cabinet member becomes its sponsor and forwards the document to the general counsel for legal sufficiency review.

2. If the proposal is initiated by a cabinet member, the cabinet member should provide key campus constituents (e.g. Faculty Senate, Staff Council, a standing university committee, specific division) opportunity for feedback prior to seeking its establishment.
3. After legal approval, the sponsor shall assign a number to the policy or procedure and forward the document to the chancellor’s cabinet for a recommendation. If the cabinet recommendations adoption of the policy, the sponsor forwards the policy to the chancellor for action.

4. The chancellor may take any action on the policy or procedure.

G. Operating Units, Department, School Policies and Procedures

1. Academic and administrative units may adopt internal policies and operating procedures after review and approval by the senior officer and by the divisional vice chancellor or by the cabinet member to whom the unit reports.

2. Vice chancellors and cabinet members shall arrange for reviews of their internal policies and operating procedures on a periodic basis and the need for revisions assessed.

3. Internal policies and operating procedures which affect the substantive or procedural rights of individuals must be submitted to the general counsel for legal review prior to their establishment.

IV. Format and Publication

A. To ensure consistency, policies and procedures must be written in standard outline form beginning with a purpose clause or introductory section. The header shall include the assigned number; title; issuing authority; the history and effective date; the source of authority or related policies, procedures or links; and the responsible office(s). Capitalization and punctuation should be consistent with the approved “Manual of Style for University Publications.”

B. Submittal to appropriate approval entities listed above must be done by electronic means. Proposed revisions to existing policies and procedures must show the changes by striking out the language proposed for deletion and highlighting or underlining language which is new.

C. New policies and procedures or proposed revisions must be accompanied by a brief explanatory memorandum from the responsible cabinet member that summarizes the need for its establishment or the proposed changes. This memorandum shall contain a signature line for the final approval
authority. Upon signature, the document shall be forwarded to the general counsel for retention.

D. The referenced responsible office shall notify the campus community of all new policies and procedures and material revisions to existing policies and procedures that it has been designated. The responsible office is also obligated to review periodically its designated policies and procedures.

E. Policies and procedures are effective when adopted by the Board of Trustees, unless the Office of the President requires subsequent approval, when adopted by the chancellor upon written approval, and internal policies and operating procedures are effective when adopted by the pertinent cabinet member upon written approval.

F. Policies and procedures shall be published within seven (7) work days of final approval on the official Web site. The general counsel is responsible for authorizing the policies and procedures for electronic publication. The vice chancellor for the Information Technology Systems Division, or designee, is responsible for maintaining the official Web site.

G. Operating units, schools, and departments are responsible for publishing, electronically or in other media, their internal policies and operating procedures. Those having affect beyond the operating unit, school, or department shall be posted to or linked from the university’s official policy and procedures Web site.