

University of Oregon Policy on University Policies

PREAMBLE

Recognizing that the best approach to policy-making and excellence in a University setting is one that respects the longstanding tradition of shared governance in Higher Education by embracing the faculty's role in governance, consulting with content experts, and considering the input of constituents affected by a policy, this Policy establishes the process for University Policy-making.

As provided in ORS 352.146, "[t]he president and professors constitute the faculty and as such have the immediate government and discipline of a university with a governing board and the students therein, except as otherwise provided by law or action of the governing board."

As provided in ORS 352.029, the Board of Trustees of the University of Oregon (the "Board") manages the affairs of the University of Oregon (the "University") by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the Board by law, or that are implied by law or are incident to such powers, rights and duties.

As provided in ORS 352.107(m), the Board has the authority to establish Policies for the organization, administration and development of the University.

This Policy recognizes the University President's on-going authority under the Board's Policy on Retention and Delegation of Authority and the University of Oregon Constitution, to establish emergency and temporary Policies, Standards and Directives that are exempt from this Policy when the Board or the President deems it necessary or appropriate.

This Policy likewise recognizes the Board's ongoing authority to adopt, revise, or repeal University Policies, Standards, and Directives by direct Board action, independent of this Policy. The process set forth in this Policy will be the standard procedure for institutional policy-making.

- 1. Title.** This Policy shall be known as the Policy on University Policies.
- 2. Purpose.** The purpose of this Policy is to promote University-wide consistency, clarity and understanding of the formulation, approval and promulgation of University of Oregon Policies.
- 3. Definitions.**
 - 3.1 Policy.** A University Policy ("Policy") is a policy that (1) has broad application or impact throughout the University community, (2) must be implemented to ensure compliance with state or federal law, (3) is necessary to enhance the University's mission, to ensure institutional consistency and operational efficiency, or to mitigate institutional risks; or (4) is otherwise designated by the Board or the President as a University Policy subject to the Policy-Making Process authorized in section 4. A policy establishes rights, requirements or responsibilities. Excluded from this definition are things such as, but not limited to, implementation guides, operating guidelines, internal procedures, and similar management controls and tools.

3.2 Academic Policy. A Policy that addresses curriculum, academic standards, academic standards of admission, academic freedom, tenure and promotion, major changes to academic programs, grading standards, student life that relates to the educational process, or other matters of an academic nature as commonly understood in higher education, as specified in Section 1.3 of the University of Oregon Constitution.

3.3 Responsible Office. An office designated by the Policy Advisory ~~Committee~~ Council to be responsible for the development, review, maintenance and implementation of a Policy and for ongoing oversight of the Policy after its adoption.

4. Process. The following Policy-making Process shall be used for the efficient development, adoption, revision, or repeal of all new or existing Policies.

4.1 Any unit within the University such as a school, college, institution or department, may develop policies that relate solely to that unit so long as those policies do not conflict with applicable law and existing University Policies.

4.2 The President shall convene and maintain a Policy Advisory Council (PAC) and shall appoint a Chair or Co-Chairs. The President of the University Senate ("Senate President") shall serve as a member of the PAC and may delegate a member of the faculty to act in his or her place when necessary. The University President, in consultation with others, including the Senate President, shall appoint students, faculty and staff to the PAC at his or her discretion. The PAC will advise and assist the President in the prioritization and organization of University Policies that are to be developed, adopted, revised, or repealed pursuant to the Policy-Making Process.

4.3 Any individual in the University community, any University unit, or the University Senate may submit a proposal for the development, revision or repeal of a Policy. Such a proposal shall be submitted to the University Secretary using a Policy Concept Form, to be developed and maintained by the University Secretary. On receiving a Policy Concept Form, the University Secretary shall post the Form on the Policy Library for public access and forward the Form to the Chair(s) of the PAC, who shall promptly forward it to PAC members.

4.4 For each Policy to be revised or repealed, or for each Policy Concept Form proposing a new Policy, the Chair(s) of the PAC shall designate a Responsible Office and will charge the Responsible Office with facilitating the development and review of Policies. The Responsible Office shall establish deadlines in connection with the development of a new Policy or for the review of an existing Policy for revision or repeal. The Responsible Office shall identify key constituent groups and subject matter experts for consultation regarding specific Policies. The Senate President shall inform the PAC Chair(s) if he or she considers a policy to be an Academic Policy. Policies determined to be Academic Policies shall follow those provisions outlined in section 5.

4.5 The Responsible Office, after consultation with groups identified pursuant to section 4.4, will draft proposed language for a new Policy, draft proposed language for the revision of an existing Policy, or recommend repeal of the Policy.

- 4.6** The Office of General Counsel shall review proposed language to ensure compliance with the law and existing University Policies.
- 4.7** The PAC shall ensure that each proposed revision, repeal or new Policy is made available for public comment. The PAC shall consider public comments and coordinate with the Responsible Office and General Counsel on any modifications resulting therefrom. For public comment on Academic Policies, see section 5.1.
- 4.8** The President will take action on the Policy or forward the Policy to the Board for consideration pursuant to the Policy on Retention and Delegation of Authority.
- 4.9** Notice concerning Policies that have been approved and published will be disseminated to vice presidents, deans, directors, the Senate President, the Senate Executive Coordinator, the presidents of the University's collective bargaining units, the President of the ASUO, and other relevant persons or offices.
- 4.10** Following adoption of a Policy, the designated Responsible Office is responsible for assisting with the interpretation, administration, and oversight of the Policy and for developing standard operating procedures, guidelines, forms, user guides, and other materials to facilitate the implementation and enforcement of the Policy, as necessary.

5. Academic Policies.

- 5.1** For Academic Policies, the Senate President will initiate action within the Senate's procedures and in collaboration with appropriate others. The Responsible Office for Academic Policies shall be the Office of the Senior Vice President and Provost, which shall coordinate with the University Senate.
- 5.2** After action by the Senate, the Senate President will present the Policy to the University President, who will take action in accordance with Section 7.2 of the University of Oregon Constitution.
- 5.2.1** For each proposed new Academic Policy or change to an existing Academic Policy, if the President's decision is contrary to a vote of the University Senate on the proposal, he or she shall come to the Senate within the time specified in Section 7 of the University of Oregon Constitution (60 days or longer if necessary) – as President of the Faculty – and suggest withdrawal or amendment. The Senate shall promptly consider the President's request. If the President and the Senate cannot come to agreement after 60 days from the President's presentation, the President and the Senate President shall jointly call a Faculty Assembly.
- 5.2.2** If the a Faculty Assembly is called pursuant to section 5.2.1, the Statutory Faculty and President will fulfill their oversight obligations and exercise their authorities according to the procedures outlined in Section 9 of the University of Oregon Constitution.

5.3 Proposals for majors, programs, minors, certificates, courses, and degree requirements originate in academic units and are drafted by faculty. These items are not considered policies for the purpose of this Policy.

- 6. Policy Library.** All current, enforceable, and official Policies shall be published on the University's website in the online Policy Library and shall include the Policy's revision history. Policies shall have force and effect once published. The publication shall include the Effective Date and the designated Responsible Office for each Policy. The official version of all Policies shall be maintained by the University Secretary.
- 7. Technical Revisions.** The Secretary of the University, in consultation with the designated Responsible Office, shall have the authority to make technical revisions that do not alter the substance, scope, or objective of a Policy, which shall be exempt from the Policy-making Process, namely adding links, editing titles or office names to comply with organizational changes, formatting, or renumbering for organizational management.
- 8. Maintenance.** The Responsible Office shall perform a review of each Policy at least once every ten years to ensure compliance with current laws, regulations and practices. A policy review schedule will be maintained in the Policy Library.
- 9. Emergency Policies.** If the University needs to comply immediately with federal, state or local law, or in the case of a determined immediate emergency, the President, pursuant to the Policy on Retention and Delegation of Authority, may issue a temporary emergency Policy, or may temporarily suspend an existing Policy without following the procedures described in this Policy. Each action of this type shall have a duration of no more than six months unless a showing of necessity warrants a longer duration. If the President wishes to make the action permanent, the President shall follow the procedures in this Policy.
- 10. Transition.** This Policy on University Policies applies to University Policies developed, adopted, revised, or repealed after the effective date of this Policy. University Policies adopted prior to the effective date of this Policy shall, to the extent lawful, remain in effect until otherwise revised or repealed consistent with this Policy, independent Board action, or the processes specified in the Board's Policy on Retention and Delegation of Authority.
- 11. Amendment.** This Policy may be revised by the University President and University Senate.