

<b>The University of North Texas at Dallas Policy Manual</b>	Chapter 2.000
<b>2.001 Process for Policy Development, Adoption, and Revision</b>	<b>Rule and Policy Development</b>

**Policy Statement.** The University of North Texas at Dallas (UNT) policies shall reflect the university’s academic mission and vision and comply with applicable federal and state laws, Regents Rules, and System Regulations. Procedures developed to implement these policies shall be clear and efficient. Policies and procedures may be revised or deleted at any time, at the sole discretion of the University. No policy is intended to create a contract, express or implied, with any individual or organization. In the event of a conflict, Regents Rules and System Regulations will take precedence over UNT Dallas policies.

**Application of Policy.** All UNT Dallas employees.

**Definitions.**

1. **Non-substantive Change.** “Non-substantive change” means a revision that does not materially alter a policy’s objective, meaning, scope, or intent. (E.g. edits related to document formatting, grammar, punctuation, and style.)
2. **Policy.** “Policy” means any governing principle, approved in accordance with Regents Rule 02.203, that communicates and supports the University’s values, standards, and expectations; guides behaviors, decisions, and actions of employees and other individuals in their interactions with the UNTD community; ensures compliance with applicable laws, Regents Rules, and System regulations; promotes the efficient and effective use of University resources; and manages organizational risks.
3. **Policy Action.** “Policy action” means the development, deletion, review, or substantive revision of a policy.
4. **Policy Contact.** “Policy Contact” means an individual designated by the policy owner as the primary subject matter expert and administrative point of contact between the Policy owner and Policy manager.
5. **Policy Manual.** “Policy manual” means the official repository of all UNTD policies adopted in accordance with applicable Regents Rules and published on the dedicated University policy website, <https://www.untDallas.edu/hr/upol> . Policies published on the dedicated website are the official policies of UNTD and take precedence over any version appearing elsewhere.
6. **Policy Owner.** “Policy owner” means a UNTD official who is primarily responsible for the policy.

7. Procedures. “Procedures” means the process that outlines how the University will implement policy objectives. Procedures may be included in documents such as guidelines, handbooks, bylaws, charters, and constitutions.
8. Regents Rule. “Regents Rule” means a rule adopted by the UNTD System Board of Regents.
9. Substantive Change. “Substantive change” means a revision to a policy that materially alters its objective, meaning, scope, or intent. Substantive changes include, but are not limited to, addition or deletion of a definition, change in a responsible party, change in application of the policy, or revisions made to reflect current operational practices or changes in the law, Regents Rule, or System Regulations.
10. System Regulation. “System regulation” means a policy adopted by the Chancellor of the UNTD System that applies to all components and employees of the UNT System.
11. Unit Administrator. “Unit Administrator” means an individual with unit supervisory responsibilities. Unit administrators include, but are not limited to, directors, chairs, associate deans, and deans.

### **Procedures and Responsibilities**

- I. General Guidelines. The policies adopted by the UNTD President apply only to UNTD and shall be published in the Policy Manual and maintained electronically on a dedicated policy website.
  - A. Contract Disclaimer. No provision in any University policy shall create a contract, expressed or implied, with any individual or organization (Regents Rule 02.204).
  - B. Legal Review. All UNTD policies considered for adoption must be reviewed and approved for legal sufficiency by the UNT System Office of General Counsel (OGC) prior to adoption (Regents Rule 02.206).
  - C. Conflicts. If a UNTD policy conflicts with a Regents Rule or System Regulation, the Rule or Regulation takes precedence. If a provision of a policy conflicts with a Regents Rule, System Regulation, or federal or state law, the invalid provision shall be construed in a manner that gives force and effect to all other provisions in the policy, to the extent possible. If any invalid provision cannot be construed to render it valid, that provision shall be construed as narrowly as possible and severed from the policy if necessary to give force and effect to the policy (Regents Rule 02.207).
  - D. Charters and Bylaws. Charters and bylaws for the internal governance of departments, colleges, and university organizations, except for those adopted

and published by the Faculty, are not university policies. In accordance with Regents Rule 06.104 (Operational Bylaws), bylaws adopted and published by the Faculty Alliance/Senate shall take effect when approved by the President.

- E. Policy Adoption/Approval. Policies are approved when signed by the President or when approved by the Board of Regents, if applicable.
- F. Policy Effective Date. A policy takes effect the date it is approved by the President (or Board of Regents if required) unless a different date is stated in the policy.
- G. Policy Review. The Director of University Accreditation and Policy will develop a schedule (with the UNTD Policy Committee) to review all policies at a minimum once every four years unless otherwise required by state or federal law, Regents Rule, or System Regulation.
- H. Non-substantive changes. Non-substantive changes do not require routing through the normal approval process or legal sufficiency review, and are made as needed by the Director of University Accreditation and Policy.
- I. Procedures Required to be in Policies. Only those procedures that are necessary to provide a right protected by law or that is mandated by Regents Rule or System Regulation are required to be included in a policy.
- J. Other Procedures. Units may develop administrative procedures to manage the specific operations of the unit. These procedures must be consistent with the official policies of UNTD, System Regulations, Regents Rules, state or federal laws; and do not have to be reviewed by OGC for legal sufficiency or approved by the President. Unit administrators may request that the Director of University Accreditation and Policy publish a procedure on the policy website with its associated policy.
- K. Severability. If any provision of a policy or its application to any person or circumstance is interpreted by the OGC as invalid, the invalidity does not affect other provisions or applications of the policy that can be given effect without the invalid provision or application, and to this end the provision of the policy is severable.
- L. Computation of Time. In computing period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday. Unless otherwise specified in the policy, "day" means business day.

Responsible Party: President, Faculty Senate, policy owners, Policy Committee, Director of University Accreditation and Policy, OGC

## II. Policy Development, Revision, Deletion, and Review.

- A. Policy Owners. Policy owners, in coordination with the Director of University Accreditation and Policy, are responsible for developing, revising, and reviewing

policies as required by Regents Rule, System Regulation, federal or state law, or as necessitated by UNTD institutional initiatives or operational changes. For these actions, policy owners must ensure the policy:

- i. is not contradictory with, duplicative of, or cannot be incorporated into existing UNTD policies;
- ii. is consistent with the Regents Rules and System Regulations;
- iii. satisfies accrediting bodies and external industry/professional association requirements, as applicable;
- iv. is sufficiently clear so that substantive questions concerning execution of or compliance with the policy can be answered;
- v. provides the guidance necessary to achieve the policy objective(s); and
- vi. clearly explains any decision-making processes required by the policy.

B. Policy Deletion. When considering a policy for deletion, policy owners must ensure the policy is not required by Regents Rule, System Regulation, federal law, or state law. When the policy matter is required, policy owners must ensure that the content is adequately addressed in a current policy or related procedure.

Responsible Party: Policy owners

- C. Policy Committee (PC). The Policy Committee (PC) is responsible for reviewing and discussing policies to ensure they are consistent with the university's mission and strategic plan before the policies are submitted to the President for approval. The PC must review submissions for new policies, substantive revisions, deletions, and policies that are due for a 4-year review.

Responsible Party: PC

- D. Office of General Counsel (OGC). The OGC is responsible for reviewing all new policies and substantive changes to existing policies to determine consistency with applicable law, identify and address legal risks, and improve legal defensibility. This legal sufficiency review consists of:
- i. analyzing the policy (and any procedures contained therein) to determine compliance with federal and state constitutional and statutory laws, regulations, attorney general opinions, executive orders, Regents Rules, and System Regulations;
  - ii. identifying potential legal risks that might arise from the use of a particular word, term, or phrase, from the way the policy is structured, or from any

procedures contained in or missing from the policy; and

- iii. recommending changes that address noted legal deficiencies.

OGC will inform the Director of University Accreditation and Policy if a policy or a provision of a policy is determined to be legally insufficient and recommend language that brings the policy into compliance with laws, Regents Rules, or System Regulations. OGC is responsible for informing the Director of University Accreditation and Policy which policies must be approved by the Board of Regents.

Only policies approved by OGC are eligible for adoption by the President. Responsible Party: OGC

- E. President Approval. All policies must be approved by the President and become effective on the date of approval, unless otherwise stated in the policy or when Board of Regents approval is required.
- F. Board of Regents Approval. Policies requiring Board of Regents approval become effective on the date of approval, unless otherwise indicated by the Board or language of the policy.

III. The Policy Administration and Management Program. The Director of University Accreditation and Policy is responsible for the administration and management of the university's policy program and is the official repository for all university policies. The Director of University Accreditation and Policy shall route proposed policy actions for approval in accordance with this policy and the process detailed in the following steps:

1. All proposed policies and related procedures, regardless of origination, will be reviewed by the UNT Dallas Policy Committee (The Policy Committee). The Policy Committee will consist of the Director of University Accreditation and Policy and two faculty or staff members appointed by the Provost. The Director of University Accreditation and Policy will serve as the chair of the committee. The chair will ensure the policy draft has been reviewed by other constituents effected by the policy (for example, particular committees/councils).
2. The Policy Committee will note its recommendation for approval or non-approval of a policy adoption or revision in writing on a routing form developed for this purpose. The proposed policy or policy revision will be forwarded to the Provost for approval if the policy involves academic affairs; all other policies or policy revisions will be forwarded to the Vice President for Administration and CFO for approval. Upon approval, the Provost or Vice President for Administration and CFO will return the policy back to the Director of University Accreditation and Policy.

3. The Director of University Accreditation and Policy will then forward the proposed policy or policy revision to Human Resources for approval. Upon approval, Human Resources will return the policy back to the Director of University Accreditation and Policy.
4. The Director of University Accreditation and Policy will then forward the proposed policy or policy revision to OGC for approval. The Office of General Counsel will review the proposed policy or policy revision for compliance with federal and state law and Regents Rules. The Office of General Counsel will note its opinion as to legal sufficiency on the policy routing form. Upon approval, OGC will return the policy back to the Director of University Accreditation and Policy.
5. The Director of University Accreditation and Policy will then forward the proposed policy or policy revision to the President for final approval. The President will not adopt any policy or policy revision that has not been reviewed for legal sufficiency and approved by the Office of General Counsel. Upon approval, the President will return the policy back to the Director of University Accreditation and Policy.
6. The Director of University Accreditation and Policy will upload the final policy to the policy manual/website. Notification of new/revised policies will be sent to the entire campus community on a semester basis.

In addition, the Director of University Accreditation and Policy is responsible for:

- i. coordinating and managing the policy process;
- ii. facilitating the development, review, and approval of all proposed policy actions;
- iii. serving as a policy resource for the Policy Committee, including providing historical information related to policies under consideration;
- iv. maintaining the official copy of all adopted policies;
- v. maintaining the policy website;
- vi. publishing approved policies in the policy manual; and
- vii. archiving superseded policies, routing and approval forms, and other policy development documents in accordance with records and retention requirements.

Responsible Party: Director of University Accreditation and Policy

- IV. Guidelines for Interpreting Policies and Procedures. The following guidelines shall be used when interpreting UNTD policies and procedures. These guidelines are not binding on OGC when providing official legal opinions.
- A. Headings. The heading of a title, subtitle, chapter, subchapter, or section does not limit or expand the meaning of a policy.
- B. Meanings of Words. Words shall be given their ordinary meaning. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words in the present tense include the future tense.
- C. Grammar and Punctuation. A grammatical error does not impair the validity of a policy. If the sentence or clause is meaningless because of the grammatical error, words and clauses may be transposed to give the policy meaning.
- D. May, Must, Shall, etc. The following meanings apply unless the context in which the word or phrase appears necessarily requires a different interpretation/meaning or unless a different meaning is expressly provided:
- I. "May" creates discretionary authority or grants permission or a power.
  - II. "Shall" imposes an obligation.
  - III. "Is entitled to" creates or recognizes an expectation.
  - IV. "May not" imposes a prohibition and is synonymous with "shall not."
  - V. "Is not entitled to" negates an expectation.
  - VI. "Is not required to" negates an obligation.
  - VII. "Includes" and "including" are terms of enlargement and use of the terms does not create a presumption that items, examples, or components that are not listed are excluded.

**References and Cross-references.**

- UNT System Board of Regents Rules 02.200, 02.203, 02.206, 06.100
- UNT System Policy 01.500 System Administration Policy Adoption

**Forms and Tools.**

- [UNT Dallas Policy Routing & Approval Form](#)

Approved: 8/30/2010

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