

3364-10-01 Formulation and issuance of policies.**(A) Policy statement**

The university is committed to governance by clear, concise policies. Policies are statements of the principles that govern decision making, maintain compliance and accountability, and explain how the university conducts business. Procedures are the functional steps used to implement policies.

It is the responsibility of the university community, including faculty, staff, and students, to familiarize themselves with the policies and comply with applicable university policies.

(B) Purpose of policy

This policy governs how to adopt, approve and periodically review policies.

(C) Scope

This policy applies to all university policies that are applicable to more than one department, section, unit or office within the university, and to all individuals considering issuing, revising, or assisting with the drafting of a policy that applies to any university employees, students, alumni, visitors, or, where applicable, those doing business with the university.

(D) Delegation of approval authority for policies

Board of trustees' resolution eleven-two-three authorizes the president or president's designee to establish, manage, and administer necessary and reasonable policies amplifying and implementing actions approved by the board of trustees, and to adopt, amend, or rescind policies governing the day to day procedures and operations of the university, except where the authority remains with the board of trustees through law, bylaw, or board of trustee's request.

Only those who have direct written authority from the president may adopt, amend, or rescind such policies. See rule 3364-10-07 of the Administrative Code (delegation of authority for development, review and signature of university policies).

(E) Conflicts between policies

In the event of a conflict between any policies, the president has the authority to resolve the conflict or further designate who may resolve the conflict. Within thirty days of resolution by the president or his/her designee, the conflicting policies will be reviewed pursuant to section F(3) of this rule, to avoid future conflicts.

No college, department or unit may adopt a policy, procedure, or practice that is inconsistent with a university policy without the express written approval of the president. However, in the event of a conflict between a university policy and a college, department or unit-level policy, the university policy supersedes.

(F) Formulation and issuance of policy, systematic review, archiving and format

- (1) Every policy falls within the jurisdiction of a responsible agent. The responsible agent has overall accountability for the implementation, training where necessary, and oversight of the policy as well as each policy's revision and approval. The responsible agent seeks input from and vets the policy recommendation with appropriate university constituencies. Recommendations from such constituencies must be received by the responsible agent within thirty days of a written request for review. If no recommendation is received by the responsible agent within thirty days, the policy recommendation moves to the next step in the vetting process. Before a policy is posted on the university's policy website for the thirty-day comment period, vice presidents are responsible for garnering feedback from the senior leadership team for policy recommendations, including new proposals, revisions, reaffirmations, and rescissions.

Upon senior leadership's recommendation, the policy proposal is placed on the university's policy website for a thirty-day comment period to garner comments or suggestions before the approving officer signs the policy. Exceptions or waivers to the thirty-day comment period may be granted by the president. The proposed policy becomes effective on the date the approving officer signs the policy, unless otherwise noted in the header block of the policy.

All policies will be placed on the policy website for a second thirty-day comment period if significant revisions were made to the policy after the initial comment period and before the approving officer

signed the policy. An approved policy is in effect during the second posting period.

Once the comment period has lapsed or been waived, the policy is submitted to the approving officer for signature.

(2) Issuing a policy

University policies are centrally maintained in a policy web site by the office of legal affairs. Once a policy is approved, the responsible agent oversees the implementation of the policy.

(3) Systematic review of policies

All policies should be reviewed at least once every three years by the responsible agent. The responsible agent conducts periodic reviews of the policy to ensure the policy accurately reflects current practices, complies with current applicable laws and regulations, and is not in conflict with other policies. A policy remains in effect even if the review is not conducted within the three-year period.

(4) Archiving policies

When policies are revised or rescinded, the office of legal affairs is responsible for maintaining both a paper and an electronic archive of the retired policy versions in accordance with the university records retention policy. Copies of newly approved policies will be sent to the university archivist for archival purposes.

(5) Standard policy format

The office of legal affairs ensures compliance with filing necessary rules with the Ohio legislative service commission in compliance with chapter 111 of the Revised Code and has the authority to revise the policy format to comply with statutory requirements as may be amended from time to time.

To minimize differences between university policy and the rules published as part of the Administrative Code, the university requires that policies be formatted according to the legislative service

commission's rule drafting guidelines located at https://www.lsc.ohio.gov/documents/private/rules/adminruledraftmanua106_06.pdf.

(G) Interim policies

The president or designee may approve an interim policy when legal requirements or a significant institutional risk exists and there is insufficient time to complete the standard review and approval process before publishing the policy. Such policies are placed on the policy website for the thirty-day comment period as a "draft," with the notation that the university is operating under the draft policy. The interim policy then proceeds with the standard review process in section (F) of this rule.

(H) Procedures

The operating procedures are developed by the responsible agent and prescribe specific actions to allow for orderly implementation of the policy. University procedures are not "university policies" and do not have to be approved according to the process described in this policy. University procedures must be consistent with and not conflict with university policies. Procedures must be reviewed and approved by the responsible agent prior to adoption and publication and should follow the format prescribed in the procedure for formulation and issuance of policies, including reference to the pertinent policy, reviewing authority, and effective date. University procedures are maintained on a web site managed by the pertinent responsible agent and may be linked to the policy web site.

Procedures may be included as part of the policy if necessary to carry out a specific process vital to the mission of the university and with broad application.

(I) Link to procedure for formulation and issuance of policies

(J) References

[3364-10-07 Delegation of authority for development, review and signature of university policies](#)

Policy website: <http://www.utoledo.edu/policies/>

Legislative service commission rule drafting manual:

https://www.lsc.ohio.gov/documents/private/rules/adminruledraftmanual06_06.pdf.

Procedure for [formulation and issuance of policies](#).

Effective: 9/30/2019

CERTIFIED ELECTRONICALLY

Certification

09/20/2019

Date

Promulgated Under:	111.15
Statutory Authority:	3364
Rule Amplifies:	3364