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Office of General Counsel

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POLICY DEVELOPMENT AND IMPLEMENTATION ADVISORY

As provided by the Constitution of Kent State University and codified in University Policy 3342-2-01(G)(e), the Office of General Counsel is responsible for the administration of university policies and is responsible for: 1) providing a standard format, 2) maintaining the policy register, 3) participating in policy formulation, implementation and review. This advisory represents the final procedures for the implementation of all policies into the official University Policy Register, as found at www.kent.edu/policyreg. Policies not in compliance with this policy will not be accepted for implementation or Board of Trustees action or information.

Steps to implementation

The following represents a general overview of policy development and implementation:

1. Departmental/Divisional level development (new policies, revised policies, rescinded policies);
2. Departmental/Divisional level review and approval;
3. Final executive officer approval (all policies must receive approval from the Executive Officer in charge of the unit/department before moving forward);
4. Submission to the Office of General Counsel for review;
5. Return to Departmental/Divisional level for revisions if necessary;
6. Presentation before the President's Cabinet for approval (if university policy), review (if administrative policy), or information (if operational policy).
7. Submission to the Office of General Counsel to ensure final format consistency;
8. Submission to the Board Secretary for placement on the Board Agenda;
9. * If determined that the policy affects the educational mission of the university, the Board Secretary will forward the policy to Faculty Senate for comment as provided by the Kent State Constitution.

Policy development and formulation

Policies may be initiated by the Board, the President, an administrative officer, any committee or council, the Faculty Senate and its committees, or individual members of the university community, its students, faculty and staff as long as the development of the policy progresses through the procedures defined above.

All policies of the university are registered with the Legislative Service Commission. The state of Ohio has very specific drafting requirements. See Attachment A.

- New language must be underlined.
- Deleted language must be in ~~Strikethrough~~.
- "Track Changes" WILL NOT BE ACCEPTED.

Policy-level actions

The degree of executive officer and Board of Trustee approval necessary to enact a university policy depends upon the policy's designation as a: University Policy, Administrative Policy, or Operational Policy.

- **University Policy.** This policy directly affects the educational mission of the university (broad application across the entire campus) and require the approval of: 1) the appropriate executive officer, 2) the President of the university, and 3) the Board of Trustees. The Board must formally approve this policy by resolution. The originating Division is responsible for drafting the Board resolution as well as a background summary (templates are available from the Office of the President).
 - If such policy “directly affects the educational mission of the university,” the Board Secretary may forward the policy to Faculty Senate for review.
 - This policy must be presented for approval before the President’s cabinet.
 - Once approved, the policy may be submitted to the Board of Trustees as a “Resolution” (with a “Background” document) for approval.
 - Summary: This policy must be submitted to the Board for approval prior to implementation of the new policy or revision.

- **Administrative Policy.** This policy governs the internal operations, rules and regulations of the university as provided for by a current university policy. The policy often clarifies the roles and responsibilities of administrators, staff, faculty, and students relative to a specified subject matter. It is also used to provide guidance on general procedural matters.
 - This policy requires approval of the appropriate executive officer.
 - This policy must be presented for review before the President’s Cabinet prior to enactment.
 - Once enacted and filed with the LSC, the policy may be submitted to the Board of Trustees as an “Information Item.”
 - Summary: This policy must be submitted to the Board for review no later than the first board meeting following the effective date of the new policy or revision.

- **Operational Policy.** This policy provides a very specific set of instructions or procedures to be followed in support of a related Administrative Policy, necessary to implement a policy or program at the university. As the university is often changing the department-level procedures to ensure operational efficiency, this policy format should be used sparingly and only if absolutely necessary to carry out a specific process vital to the mission of the university. Otherwise, a department level policy document should be sufficient.
 - This policy requires notification of the President’s Cabinet but does not require review or approval of the Cabinet.
 - This policy must be submitted as an “Information Item” to the Board of Trustees.
 - Summary: This policy must be submitted to the Board for review no later than the first board meeting following the effective date of the new policy or revision.

Most importantly, the Office of General Counsel is available to provide assistance at any stage of policy development or implementation. For any questions, please call Associate Counsel Michael Pfahl at 330-672-2982 or email at mpfahl@kent.edu.

ATTACHMENT A

NAME

Please indicate whether the policy is University, Administrative or Operational.

BODY

- (A) Outline form: All submitted policies should be in outline form as specified by the LSC which is as follows:

<u>Paragraphs of the:</u>	<u>Appear as:</u>
First rank	(A), (B), (C), etc.
Second rank	(1), (2), (3), etc.
Third rank	(a), (b), (c), etc.
Fourth rank	(i), (ii), (iii), etc.
Fifth rank	<i>(a), (b), (c)</i> , etc. (lower case italics)
Sixth rank	<i>(i), (ii), (iii)</i> , etc. (lower case italics)
Seventh rank	<i>(A), (B), (C)</i> , etc. (italic capitals)
Eighth rank	<i>(1), (2), (3)</i> , etc. (italic numbers)

Paragraphs in excess of twenty-six in the first, third, fifth and seventh ranks will have double-letter designations.

New language must be underlined.
Deleted language must be in ~~Stikethrough~~.
“Track Changes” WILL NOT BE ACCEPTED.

- (B) Policies should be organized in the following manner:

PURPOSE
DEFINITIONS (to be taken out of outline and included in the first policy of the chapter) (if applicable)
CRITERIA/ SCOPE/ REQUIREMENTS (if applicable)
PROCEDURE/ IMPLEMENTATION
APPEAL (if applicable) VIOLATION (if applicable)

- (C) Paragraph organization and labeling:

Labeling. If the paragraph takes more than three lines, the paragraph should have a “label.” This is one or two words which describe what that section is going to encompass. This is needed because it is inefficient to search through an entire rule with no guidance as to what each section is about.

- (D) General provisions. When referring to another part of the policy register, the reference is “provided for in 3342-chapter-section of this Administrative Code.”
- (B) When referring to another part of the rule, the reference is “as provided for in paragraph (A... or what applies) (3 ... or number or letter) of this rule.”
- (C) If the rule is replacing a rule currently in the policy register, please indicate which rule is being replaced in the last line of the draft.

POLICY FORMAT

NAME OF POLICY

The name should indicate whether this is an administrative or operational policy and should not exceed two lines.

BODY OF THE POLICY

(A) *PURPOSE (also referred to as 'Policy Statement')*

- (1) Purpose. This section should ALWAYS be first and provide a short, succinct explanation of what the section will contain and why it was created. Essentially, it's the entire policy summed up in a paragraph.

(B) *DEFINITIONS*

- (1) General and Specific Definitions. These are two types of definitions: those specific to a single policy and those generally applicable to the entire policy register. If they are specific to a single policy, be sure to use the language "as used in this rule." If they are general, please use the language "as used in section 3342 of the Administrative Code." Specific definitions will remain in this section. General definitions will be moved to the appropriate chapter (most definitions will now be contained in a lead chapter, similar to that of the Ohio Revised Code).

(C) *CRITERIA/SCOPE/REQUIREMENTS/ELIGIBILITY*

- (1) Who does this rule apply to? Under what circumstances does it apply? Are there specific criteria one must meet in order to fall under the purview of this policy? This section is not required but if included should be organized here.

(D) *PROCEDURE/ IMPLEMENTATION*

- (1) When writing policy, be sure to start at the very beginning step and build up slowly. Examine the current policy register for examples.

(E) *APPEALS/ VIOLATIONS*

- (1) Some policies have due process requirements, hence the need for this section in limited circumstances. Some policies also contain language describing what actions are in violation of the policy and procedures on how those violations are taken care of.

END NOTES

- A. Record the drafter's name and signature.
- B. If the policy refers to any laws, statutes or otherwise, please list them at the end, beginning with "This policy enforced by ... or ... This policy refers to..."
- C. If this policy replaces another policy, please list the former policy.