

POLICY #0.0

SUBJECT: Policy Development Authority (Policy on Policies)

I. PURPOSE

The purpose of this Policy is to define the procedure through which University policy may be established or amended and allow for broad input from University employees prior to the adoption of any new policy or Substantive Amendment of any existing policy. Any reference in this Policy to proposed new policies shall apply with equal force to proposed amendments to existing policies, unless otherwise stated.

II. REFERENCES

- A. Southern Utah University [Policy 13.9 Deans' Council](#)
 - B. Southern Utah University [Policy 13.12 Faculty Senate](#)
 - C. Southern Utah University [Policy 13.14 President's Council](#)
 - D. Utah Code [§ 53H-3-303 Duties and responsibilities of the president of a degree-granting institution of higher education – Approval by board of trustees](#)
 - E. Utah Code [§ 53H-7-301 Student Civil Liberties Protection Act](#)
 - F. Utah System of Higher Education [Policy R220 Delegation of Responsibilities to the President and Board of Trustees](#)
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III. DEFINITIONS

- A. Non-Substantive Amendment: Revisions to an existing policy or policy Proposal that correct typographical and grammatical errors, change policy format, correct minor inconsistencies in language within the policy or when compared to other University or USHE policies or laws, edits or additions to relevant forms, links and/or responsible office(s) listed in the policy, and/or updating university, Board of Trustees, Board of Higher Education, titles, or similar reference information.
- B. President's Cabinet: Body convened by the University President of designated University leaders at the Vice President level and equivalent leaders.

- C. President's Leadership Council: Body convened by the University President that includes the President and the University's top administrators and representatives.
- D. Proposal: Compilation of written documents for the creation, revision, suspension, or deletion of a University policy in one of the policy approval procedures. A policy Proposal may include drafts of new and revised policies, a statement regarding deletions of existing policies, and supporting documents.
- E. Substantive Amendment: Any proposed changes to an existing policy that are not Non-Substantive Amendments.

IV. POLICY

A. Authority to Establish Policy

The President's authority to develop policy for the institution, as delegated by the Utah Board of Higher Education, is subject to the approval of the Board of Trustees. On such matters, it is the duty of the President to prepare initiatives for response by the Board of Trustees. Except for consultation and advice as provided in the Utah System of Higher Education Policy R220 and for responsibilities specifically delegated by statute or by the Board of Higher Education, the actions of the Board of Trustees, as they affect institutional policies and operations, are limited to approval or disapproval of initiatives brought to them by the institutional President.

B. Making Recommendations for Policy

Any University employee, entity, or student may make recommendations regarding University Policy. The party seeking to make a recommendation should contact the office responsible for the relevant policy or relevant subject matter area to make the recommendation. The office responsible shall consult with the applicable Cabinet-level administrator about the Proposal. The Cabinet-level administrator may convene a policy workgroup to draft a policy or revisions to a policy, may assign certain employees to draft the policy or revisions, or take what other steps are necessary to update and revise policies as needed.

C. Form of Draft Policy Proposals

Proposals for new policies and revisions to existing policies should follow the Policy Format Template. Any employees and workgroups intending to draft or

drafting policy should first review the resources on policy drafting available on the official University Policies website, as applicable from time to time.

D. Review Procedure

Substantive Amendments to existing policies and new proposed policies shall be reviewed as follows:

1. Proposed policies and policy amendments should be reviewed by any relevant internal university council, association, and department, including but not limited to the Deans' Council, Faculty Senate, Staff Association, and Student Association. In particular, all academic policies shall be reviewed by the Faculty Senate and the Deans' Council, with any proposed amendments thereto by the one body to be reviewed by the other body.
2. After review by any relevant internal University council, association, and/or department, the Cabinet-level administrator with responsibility for the proposed policy will present it to the President's Cabinet for an initial review.
 - a. Cabinet members may revise the proposed policy or policy amendments, may send it back to the individual or group who proposed the policy identifying issues to address, submit a revised policy, and/or take such other action as deemed necessary by the Cabinet-level administrator with responsibility. For sake of clarity, except as provided above concerning academic policies, it is not necessary to return a proposed policy to the beginning of the review procedure if the procedure results in modifications to the proposed policy.
3. Following President's Cabinet review and any edits necessary, the responsible Cabinet-level administrator shall coordinate the campus-wide distribution of the proposed policies to University employees, providing for a period of general review and comment. After a general review and comment period of at least 21 days, the President's Leadership Council shall consider the policy along with the comments submitted during the review period. The President's Leadership Council shall give input, as/if applicable, and the Cabinet-level administrator shall determine whether any issues need to be addressed.
4. After considering input generated during this review period, the President shall make a determination as to whether the proposed

policy is forwarded to the institution's Board of Trustees for final consideration.

5. The Board of Trustees decides whether to approve or disapprove the policy Proposal forwarded by the President.
6. In addition to the above outlined procedure, if policies directly affect student civil liberties, such policies must be made a rule in accordance with the *Student Civil Liberties Protection Act* (Utah Code § 53H-7-301 et seq.), which may include certain notice and other requirements.

E. Non-Substantive Amendments to Approved Policies

In the event Non-Substantive Amendments to any existing policy are needed or proposed, the Cabinet-level administrator over the unit designated as the responsible office in the applicable policy may authorize, and oversee the adoption of, such Amendments. The Cabinet-level administrator should provide notice to the President's Leadership Council either prior to or within a reasonable time after the Amendment is implemented. No formal steps are needed for this procedure because these Amendments do not change the substance of the existing policy.

F. Exigency Exception to Procedure/Temporary Policies

In the event the procedure set forth in this Policy would delay implementation of a new policy, or amendment to a current policy, beyond what is necessary under the exigencies understood to be present at the time, the President shall be authorized to immediately implement a new policy, or amendment to an existing policy, provisionally for a period of 150 days. The policy shall be clearly marked as "temporary" and notice of the provisional policy or amendment to an existing policy shall be sent to the President's Leadership Council, Deans' Council, Faculty Senate, Staff Association, Student Association, and Board of Trustees. During the 150 days within which the temporary new policy, or amendment to an existing policy, is effective, the review procedure set forth in Section IV.D. shall be followed prior as a condition to final implementation of the same. Temporary policies (including revisions and suspensions) will expire at the conclusion of the 150-day period or on the effective date of a relevant policy Proposal enacted through the regular approval procedure under this Policy, whichever occurs first. If no relevant policy Proposal is enacted through the regular approval procedure prior to the expiration date of the temporary policy, the temporary policy shall no longer be in effect and shall be removed, and the un-revised policy, if any, shall be reinstated in its previous state.

In extraordinary circumstances in which the normal policy governance procedure cannot be conducted or proceed practically, the Board of Trustees may approve the extension of temporary emergency policy or policies by six (6) months beyond their previously approved expiration date.

G. Effective Date and Publication of Policies

Unless provided otherwise, all policies are effective upon adoption by the Board of Trustees and are to be published as soon as reasonably possible on the University's Official Policies website.

H. Hierarchy of Policies and Policy Interpretation

University policies are the official policies of the University. Unless expressly stated to the contrary, they are binding on University employees, students, and persons visiting or using the facilities or resources of the University. University policies exist within the following hierarchy of authority listed in the order below:

1. Federal and State Statutes, Regulations, and Court Rulings
2. Utah System of Higher Education policies
3. University policies
4. Division/College/School guidelines, practices, and standard operating procedures
5. Department, program, and office guidelines, practices, and standard operating procedures

I.

In the event of a conflict between documents at different levels in the hierarchy of authority, the higher-level authority governs and the subordinate, lower-level document shall be read consistently with the higher authority and shall be revised to that effect if necessary. Moreover, guidelines, practices, standard operating procedures, forms, checklists, protocols, criteria, deadlines, or any other means of implementing or complying with a University policy shall be consistent with the University policy. In the event of a need for an interpretation of a policy or a decision on its application to particular circumstances, the Cabinet-level administrator or equivalent with authority over the responsible office for the policy has authority to do so. If a policy does not include an express provision about an exception to a policy, then any exceptions require approval of the applicable Cabinet-level administrator or equivalent and the University President.

J. Organization of Policies

Policies of the University are organized by general topic or area of responsibility as follows:

1. Section 0. Policy Organization and Maintenance Information
2. Section 1. Statutory Creation of the University
3. Section 2. Mission and Role of the University
4. Section 3. State System of Higher Education
5. Section 4. Organization of the University
6. Section 5. General Policies
7. Section 6. Academic and Faculty Policies
8. Section 7. Administrative Procedures
9. Section 8. Staff and Professional Employee Policies
10. Section 9. University Leave
11. Section 10. Financial Operations Policies
12. Section 11. Student Affairs
13. Section 12. Intercollegiate Athletics
14. Section 13. Councils and Committees
15. Section 14. Miscellaneous

V. RELEVANT FORMS/LINKS

N/A

VI. QUESTIONS/RESPONSIBLE OFFICE

The [President's Office](#) is the Responsible Office for the Policy. Questions about this Policy should be directed to the [President's Office](#), the [Provost's Office](#), or the [Office of Legal Affairs](#), as applicable.

VII. POLICY ADOPTION AND AMENDMENT DATES

Date Approved: [May 6, 2005](#) (as Policy 5.56)

Amended: [December 7, 2012](#); [January 31, 2014](#); [January 13, 2017](#); [August 12, 2021](#) (renumbered to 0.0); [December 13, 2022](#) [temporary authorization]; March 31, 2023 [permanent authorization]

FORMER POLICY
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