

Florida State University Policy 2-1

Title of Policy: Development and Approval of University Policies

Responsible Executive: President

Approving Official: President

Effective Date: 2-2-26

Revision History: New: June 13, 2013; Process reviewed by BOT , 2-1-24; Technical Changes (RO update and Cabinet approval) 2-1-24; Add Chapter 13 Office of Compliance and Ethics 2-2-26

I. INTRODUCTION

Policies and procedures implement Regulations adopted by the Board of Trustees and the general authority delegated to the President by the Board of Trustees. The President's authority has, in some instances, been further delegated by the President to various University officials, usually the vice presidents. It is necessary to have some uniform procedure of policymaking to ensure that all University policies and procedures are developed and adopted by officials with the authority to develop the particular policy. It is also necessary to make governing standards consistent and readily accessible to the University community and the public at large.

This policy does not rescind, revoke, or abrogate existing policies. It provides a framework for the revision of existing policies and for the creation of new ones. A period of transition is to be expected and is provided for to the extent possible while still moving toward expedited compliance.

II. POLICY

A. Definition

Policies often involve matters of procedure but also may contain substantive standards and requirements. Some policies may have University-wide application and are approved by the Board of Trustees or President; others may have more limited impact and should be approved by the responsible vice president or designee. Policies are adopted to provide reference and procedural guidelines in the operation, management, or implementation of the various programs, services, facilities, and activities of Florida State University. By contrast, University Regulations are in the nature of University ordinances adopted by the Board of Trustees under specific authority of the Florida Board of Governors; all are University-wide.

Regulations are required by law to be enacted in certain areas or are chosen to govern certain rights or interests of University constituents or those outside of the University community. Final determination of whether a particular matter should be governed by a regulation or policy will be made by the President in consultation with the University Attorney, if necessary.

B. Authority

Legal authority over University governance is granted by the Florida Constitution, which provides that the Florida Board of Governors shall establish and define the authority of the individual university boards of trustees. The University Board of Trustees has delegated broad authority in most areas of University governance to the President, and the President has in part further delegated this authority to the University vice presidents within their respective units while maintaining final authority over such policies as necessary and appropriate. All University policies must be adopted and approved by a person or group having authority over the subject matter of the policy. Further, all policies must be consistent with relevant University Regulations, Board of Governors Regulations, and all

other applicable federal, state, and local laws.

Except for wholly procedural policies, the review process for any new policy or revision to an existing policy should include consideration of whether there is authority to adopt such a policy and whether the policy is within the scope of such authority. Generally, any such authority should be cited in the policy. If there exists any doubt about the authority to adopt a policy or the extent of such authority, drafters and approvers should contact the Office of the General Counsel.

C. Format

All University policies will use the format attached to this policy to the maximum extent practicable. See Attachment A. Numbering of policies shall correspond to the Responsible Executive with the prefix number as provided in "I" below, such that a Board of Trustees policy would be numbered as Policy 1-xxx. Subunits within the authority of a Responsible Executive may be further sub-classified with the numerical appropriate prefix followed by a letter, dash, and number if determined effective and useful in organization by the Responsible Executive. For example, Athletics may choose to divide policies by sports so that Athletics policies would be designated 11 A-1 followed by 1I A-2 for each respective sport.

D. Transition

New policies and revisions to existing policies approved after the effective date of this Policy shall be in compliance with this Policy. The following process will be utilized to bring existing policies into compliance with this Policy. Each Responsible Executive shall, within 180 days of the effective date of this policy, identify policies that should be brought into compliance. Each Responsible Executive shall submit to the President a list of policies that should be brought into compliance and a plan for bringing those policies into compliance.

Where large manuals, guides, or other materials in book form contain policies or where other material not currently in the form of a policy are now relied upon as the equivalent of a policy, attempt shall be made to identify actual policies contained within such book and to adopt the provisions as policies. Exceptions may be made only on review and approval of the President or designee.

Policies not ultimately brought into compliance with this policy may not, after the schedule for revision elapses, be relied upon as governing policies.

E. Approval

Each Responsible Executive, usually a vice president, will be responsible for assuring review, accuracy, and approval of all policies adopted within the particular area of responsibility and authority. Such Responsible Executive, in consultation with the Office of the

General Counsel will ensure that the policy is consistent with applicable law, Regulations, and relevant policies of the Florida Board of Governors, and Florida State University. The Responsible Executive may delegate review and approval of policies; however, the approving official must sign and date any policy, including any revision, for it to be considered effective and must retain ultimate authority. The policy will be approved by the Cabinet prior to notice unless otherwise approved by the President.

Prior to the final adoption and incorporation as an effective policy, a proposed policy must be posted on the central University Policy Website, <http://policies.fsu.edu/Policy-Notices>, for 21 days in which time all interested parties may provide comments on the proposed policy to the Responsible Executive. After the 21-day notice period elapses and after the Responsible Executive has considered the submitted comments; the Responsible Executive may issue a final policy.

In the event that it is necessary for a Responsible Executive to enact a policy on a time-sensitive basis, the Responsible Executive may make a policy immediately effective concurrently during the comment period, provided that any comments received during the comment period are considered prior to the policy being made permanent

F. Organizational Charts

All organizational charts are considered major statements of policy and official organizational charts are maintained by the Office of Human Resources. Any other local charts must be considered a policy and reviewed and adopted in the same manner as a policy.

G. Linkage

At a minimum, all policies will be published electronically on the unit webpage with a prominent separate link to the policies. Each Responsible Executive must organize linkage of policies within the Responsible Executive's applicable area of authority and responsibility on the Responsible Executive's main webpage. The Responsible Executive may also choose to maintain a central listing of all policies within the Responsible Executive's authority on the webpage.

H. Applicability

This Policy shall be considered applicable to all policies in the University that affect more than one department or unit. Questions about the applicability of this Policy should be directed to the Office of the General Counsel.

I. Responsible Executives

The Responsible Executives shall generally conform to the official University Organizational Chart and shall be numerically designated as follows. Each Responsible Executive shall be responsible for all policies in areas assigned to the Responsible Executive.

1. Board of Trustees
2. President
3. Executive Vice President for Academic Affairs and Provost
- 3A Vice President for Faculty Development and Advancement
4. Vice President of Finance and Administration
5. Vice President for Student Affairs
6. Reserved
7. Vice President for Research
8. Vice President for Advancement
9. Reserved
10. Reserved
11. Director of Intercollegiate Athletics
12. Office of the General Counsel
13. Office of Compliance and Ethics

Each policy shall specify the individual(s) responsible for monitoring compliance with the policy and provide a schedule for periodic review of the policy and any procedures established by the policy.

III. LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY

The Florida Constitution, Article IX, Section 7 provides that the Florida Board of Governors (BOG) shall establish the powers and duties of the individual boards of trustees (BOT), which are charged with governing the university. The BOG has enacted BOG Regulation 1.001 providing the individual Boards of Trustees with specific authorities with which to govern the universities. The Florida State University BOT has, in turn, delegated these governance functions by Resolution to the President of the University. Establishing a procedure of uniform policymaking is within the President's authority.

The University President shall be responsible for review of the provision of this policy and for making any necessary revisions every seven years.

Signature of Approving Authority, Date