University Policy: Formulation and Issuance of University Policies

Policy Category: AU Community

Subject: Developing, Issuing, Revising and Maintaining University Policies

Responsible Executive: Vice President and General Counsel

Responsible Office: Office of General Counsel

Related Procedures: Procedures for Formulation and Issuance of University Policies

Related University Policies: None

I.   SCOPE

This Policy addresses the process for developing, issuing, revising and maintaining all American University policies and applies to all university departments, faculty, staff and students. Internal policies that apply to the operations of individual units or departments may not conflict with a University Policy, but may be more restrictive.

II.   POLICY STATEMENT

The purpose of this Policy is to ensure that the American University community has ready access to well-developed and understandable University Policies. University Policies must be aligned with the university's mission, values, and goals while enhancing operational efficiency and governance. American University formally approves, issues and maintains in a consistent format, official University Policies in a central Policy library. Individuals engaged in developing and maintaining University Policies must follow the requirements outlined in this document.

III. DEFINITIONS

A. *University Policy:* A University Policy, also referred to as "Policy", is a statement of management philosophy and direction, established to provide guidance and assistance to the university community in the conduct of university affairs. A University Policy is a governing principle that typically mandates or constrains actions, has institution-wide application, changes infrequently and sets a course for the foreseeable future, helps ensure compliance with applicable laws and regulations, reduces institutional risk, and is approved at the executive levels of the university (president, provost, vice presidents) or Board of Trustees. The term "University Policy" or Policy does not include Board of Trustees' policies, Academic Regulations, and the Faculty Manual.

B. *Procedure*: A Procedure is a guideline or series of interrelated steps taken to help implement the Policy. University Procedures:

1. identify and link to the applicable Policy,

2. are written in a format that is easy to follow, using numbers or bullets to delineate steps to be followed,

3. must be reviewed and updated as necessary to ensure agreement with the most recent revision to the Policy, as well as consistency with all University Policies, and

4. generally, do not require formal approval by senior university officials.

C. *Responsible Executive*: The Responsible Executive is the appropriate university officer (typically, the president, provost, vice president, chief of staff, or director of athletics) whose jurisdiction covers the subject matter of the Policy.

D. *Responsible Office*: The Responsible Office is the office(s) designated by the Responsible Executive to develop and administer a Policy, communicate with and train the university community on its requirements, and execute its timely updating and revisions.

E. *Stakeholder*: Stakeholders are university community members who are affected by the University Policy being developed.

F. *Stakeholder Groups*: The Stakeholder Groups are specific university committees and representative organizations that are routinely provided with formal notice of Policy changes. Stakeholder Groups include, but are not limited to President's Council, American University Student Government (AUSG), Washington College of Law Student Bar Association (SBA), Graduate Leadership Council (GLC), President's Council on Diversity & Inclusion (PCDI), Faculty Senate, and Staff Council.

IV. POLICY

A. American University maintains Policies and supporting documents in order to promote compliance and accountability and to provide the university community and the public with a clear explanation of how American University conducts its business and affairs. All individuals who are engaged in developing and/or maintaining these documents must adhere to the requirements outlined in this Policy and its associated Procedures for drafting, approving, revising and disseminating such documents.

B. Policies must be easy to find, read, and understand, and will:

1. support the university's mission;

2. achieve accountability by identifying the offices responsible for Policies;

3. provide faculty, staff and students with clear, concise guidelines; and,

4. document how the university conducts business.

C. Policies will be:

1. presented in a common format;

2. formally reviewed by the authorized body and approved by the Responsible Executive;

3. maintained centrally and accessible to all interested parties;

4. linked electronically to Procedures for implementing the Policy; and,

5. kept current within the framework of an organized system of change control.

D. Any individual or unit may identify the need for a new or revised Policy, but one Responsible Executive must agree to sponsor its development and be accountable for the content of its principles and Procedures. The Responsible Executive will be responsible for:

1. appointing (a) Responsible Office(s) to consult with the Office of the General Counsel (OGC) in developing the Policy. The Responsible Office(s) will identify key Stakeholders who will be consulted during the drafting process;

2. providing members of the Cabinet and the President with opportunities to review and consult on each proposed Policy, as appropriate, based on the nature, relative impact, and scope of the proposed Policy;

3. identifying additional Stakeholder Groups that should be provided formal notice and an opportunity to comment prior to the effective date of the proposed Policy;

4. ensuring compliance with any Procedures that are established to implement this policy; and,

5. confirming that Policy content:

   i. is aligned with the university's mission, values, and goals;

   ii. appropriately enhances university governance; and

   iii. promotes integrity and ethical standards.

E. The Vice President and General Counsel is responsible for overseeing the Policy formulation and issuance process, and authorizing exceptions. OGC tracks Policies that are under development, serves as the custodian of the Policy library, and all current and prior versions of archived Policies.

F. Substantive changes can only be made by following the process for Policy approval set forth in this Policy. Non-substantive changes are exempt from the formal process and can be made by OGC or the Responsible Executive(s).

G. Institutional compliance with all local, state, and federal laws rules and regulations supersedes University Policy; therefore, the university reserves the right to make any changes mandated by new laws and regulations without consideration to the process outlined herein. However, substantive changes that may have significant impact on the university community, must be made using this process if adequate time permits.

H. Policies that pre-exist the establishment of this Policy are still to be maintained in full force and effect; however, future revisions of all pre-existing Policies will conform to the requirements set forth in this Policy.

I. Any Stakeholder, Responsible Office, Responsible Executive, OGC, or the President may at any time propose that a policy be reviewed for rescission if the said policy is no longer

useful, applicable, or more effective if combined with another University Policy. Responsible Executives should confer with applicable Stakeholder Groups and subject matter experts, as appropriate, to ensure that the overall impact of rescinding the Policy is considered. In cases where rescinding a policy may have signifcant impact on the university community, the Responsible Executive is expected to utilize the same procedures for vetting the rescission as is used for creating a new policy.

J. Once the Policy is approved, the Responsible Executive will provide written notice of the approval to OGC. Policies are finalized and in effect when posted to the policy library.

V. EFFECTIVE DATE(S)

This Policy is effective April 1, 2019. Revised October 29, 2020, Revised January 15, 2021.