

**UNIVERSITY OF MASSACHUSETTS
POLICY FOR CREATING AND ESTABLISHING BOARD POLICY**

I. INTRODUCTION

In addition to state and federal laws and regulations, the University of Massachusetts is managed in part through a series of University of Massachusetts Board Policies. This Board Policy and related Standards outline the protocol for issuing, revising and rescinding University of Massachusetts Board Policies. Board Policies are policies that affect the entire University and require Board of Trustee approval.

A. Board Policies and Standards

Board Policies include those specific actions which may be required by federal law or state law and any other matters for which the Board determines to establish Policy. The authority to establish specific standards related to the policies rests with the President.

B. Campus policies and guidelines

Campus policies are not approved by the Board and apply only to a specific campus. Policies established by a campus are not required to follow all the provisions of the review process set forth in this Policy. Campus policies and related guidelines and procedures shall be consistent with, and not in conflict with, the Board Policies. Campus policies may be more detailed or restrictive than Board Policies, but shall not be less restrictive.

In the event of a conflict between a Board Policy and a Campus policy, the Board Policy supersedes the Campus policy.

This Policy applies to all University employees who participate in the evaluation, formulation, revision, approval, or maintenance of Board Policies.

II. POLICY STATEMENT

A. A Board Policy is defined by all of the following criteria:

1. It has broad application throughout the University;
2. It contains specific procedures for compliance with applicable laws and regulations, promotes operational efficiencies, supports the University's mission;
3. The subject matter requires approval by the Board of Trustees.

B. Board Policies will be kept current and made readily available electronically in a timely manner, to assure compliance, to support relevant management principles, and to establish accountability.

- C. This document and related standards define a Board Policy, provide a standard Policy format, outline the steps for formulating, approving, issuing, and amending Board policies, describe the roles and responsibilities of the various individuals and groups involved in the process, and define terminology used.
- D. Board Policies and related standards will continue to remain in effect until amended or rescinded by the Board of Trustees.

III. RESPONSIBILITIES FOR ISSUING, REVISING OR RESCINDING A POLICY

A. Policy Review

1. **President's Council**

The President's Council (President, Executive & Senior Vice Presidents, and Chancellors) shall be responsible for the review of new or revised Board Policies and for the review of Board Policies to be rescinded. The President's Council will recommend policies for approval by the Board.

2. **University Councils**

The University Councils (e.g. Academic Affairs, Administration & Finance, Information Technology), under the direction of the pertinent Executive reporting to or designated by the President, shall be responsible for the development or review of the drafts of new or revised Policies. The pertinent Council will make recommendations for issuing, revising or rescinding a Board Policy to the President's Council.

3. **Board Policy Working Group**

The Board Policy Working Group shall be responsible for the editorial review of the working draft of new or revised Policies. The Board Policy Working Group (BPWG) is charged with ensuring campus review is done with all appropriate campus Departmental and Executive leadership. The BPWG will be staffed with appropriate campus personnel and subject matter experts as the Policy dictates.

The Members of the Board Policy Working Group are appointed by the President and Chancellors (President's Council).

4. **Office of the General Counsel**

Under the direction of the President's Council, the Office of the General Counsel will provide legal review and oversight for Board Policies to the President, University Councils and the Board Policy Working Group.

5. **Secretary to the Board**

Under the direction of the Board of Trustees, the Secretary to the Board will provide administrative oversight for the Board Policy development process.

B. Board Policy Updates

All Board Policies shall be reviewed to determine whether an update is necessary on a regular cycle. At the direction of the President's Council, the Secretary to the Board of Trustees will send updated notices to the pertinent Executive reporting to or designated by the President for each policy.

IV. STANDARDS

The President, in consultation with the Vice President(s) and Chancellors, will issue Standards to implement this Board Policy. Campuses may establish Campus policies, procedures and guidelines within the scope of this Board Policy (and Standards). Campus policies, procedures and guidelines may be more, but not less, restrictive than the standards.

UNIVERSITY OF MASSACHUSETTS
POLICY FOR CREATING AND ESTABLISHING BOARD POLICY STANDARDS
(Doc. T13-093, as amended)

I. INTRODUCTION

Creating and Establishing Board Policy Standards sets forth the protocol for issuing, revising and rescinding University of Massachusetts Board Policies. Campuses may establish Campus policies, procedures and guidelines within the scope of Board Policy. Campus policies, procedures and guidelines may be more, but not less restrictive than the President's Administrative Standards.

This Standard applies to all University employees who participate in the evaluation, formulation, revision, approval, or maintenance of Board Policies.

Board Policies and related Standards will continue to remain in effect until amended or rescinded by the Board of Trustees.

II. STANDARDS STATEMENT

A. Development of a new or revised Board Policy

1) Development of a new Policy

Any campus, the system office or a Trustee can identify a need for a new Board Policy and accordingly request that a new Policy be developed. Proposals for new Policies are to be submitted initially to Secretary to the Board of Trustees. Upon receipt of the proposal, the Board Secretary will provide copies to the pertinent Executive reporting to or designated by the President and the Office of the General Counsel.

If the Executive reporting to or designated by the President determines that the proposed new Policy has merit, the proposed Policy will be submitted to the pertinent University Council (e.g. Academic Affairs, Administration & Finance and Information Technology) so that each campus council representative can determine the impact of the new Policy. The pertinent University Council, under the guidance of the pertinent Executive will develop the working draft of the proposed policy.

The working draft will then be submitted to the Board Policy Working Group for further vetting at each campus.

The Board Policy Working Group shall ensure that each Board Policy draft is clearly written, using a consistent format and is easily understandable to all who must comply with it. The draft Policy will be reviewed for practicality and applicability.

Each member of the Board Policy Working Group will distribute the Board Policy draft to their relevant campus units for additional input, comments, and advice. These reviews should be timely and expeditious. Under normal circumstances the campuses will have a period of forty five (45) calendar days to submit in writing their response to the draft documents. When necessary, additional time may be allowed. If no response is given by a campus, it will be assumed that the Policy draft and/or Standard has been reviewed and considered acceptable as drafted.

In vetting a Board Policy draft, each campus will evaluate the implications for implementation to ensure that the intent of the Policy can be achieved and is cost effective, and that the outcomes, where appropriate, can be measured.

Once reviewed by campus units, the Board Policy Working Group will if necessary recommend to the pertinent University Council any changes to the working draft. The pertinent University Council will consider the proposed changes and inform the Board Policy Working Group of its decision.

Once all changes are agreed to, the draft will be submitted to the President's Council for consideration and subsequent approval by the Board of Trustees.

2) Revision of Existing Board Policy

Any campus can identify a need for a revision to an existing Board Policy and accordingly request that a revised policy be considered. Proposals for revised policies will be presented to the pertinent Executive reporting to or designated by the President.

B. Board Policy Development Template

The University utilizes a standard policy document template to facilitate consistency, clarity, conciseness, understanding, access and compliance with University regulations.

All Board policies will conform to this template and shall include the following sections:

1. Policy Header

The Policy Header contains basic information about the Board Policy, such as the Policy's Title, Policy's Number, Functional Area, Brief Description, Effective Date, Responsible Officer, Last Revised or Updated date, and Reason for Policy.

2. Introduction

The Introduction section encapsulates the policy's purpose, namely its core provisions or requirements, and why the policy exists. The Introduction typically identifies the institutional risk, University mission or value, or any legal or regulatory requirements the policy addresses.

3. Policy

The Policy section expands on the Introduction section and details the Policy's substance, namely its core provisions and requirements.

4. Responsibilities

The Responsibilities section describes the people or units affected by the Policy and their responsibilities in implementing the Policy.

5. Standards

The Standards are presented in a separate document that delineates the sequence of mandatory steps that must be taken to implement a Board Policy.

C. Policy Number

The President's Office will assign a policy number to new Board Policies once approved by the Board of Trustees.

D. Glossary

Specific terms and their standard meaning will be located in a single policy glossary.

E. Publication

The Secretary to the Board of Trustees shall post new and revised Board Policies to the University of Massachusetts website in a timely manner after final approval by the Board of Trustees. The Board Secretary will also update the Campus Policy Coordinator on all new, revised or rescinded Board Policies. The Executive reporting to or designated by the President for the pertinent function shall be responsible for the integrity of the Policy published on the University website.

F. Emergency Board Policies

On occasion, the President, or his/her designee, may be faced with an emergency or with a situation in which the need for a change or exception to a Policy or procedure is immediate or urgent. In those situations, the President may issue an executive directive to establish a new Board Policy, or approve significant changes to an existing one. The Board of Trustees will be asked to approve the Policy at the next scheduled meeting.

G. Official Version

The official version of a Board Policy is the one posted on the Board of Trustees website. All other versions are unofficial and may not be relied upon. A Board Policy is effective on the day that it is approved by the Board of Trustees.

H. Policy Maintenance

The Secretary to the Board of Trustees working with the Executive reporting to or designated by the President for the pertinent function is charged with keeping Board Policies up-to-date. The Board Secretary should perform periodic reviews to ensure that the Policy complies with and reflects current laws, regulations, and practices. A Policy review should be performed on a periodic basis. Any Policy changes must be approved by the Board of Trustees.

I. Policy Revisions

The Executive reporting to or designated by the President for the pertinent function may at any time submit changes to a Board Policy by following the revision or update procedures outlined in this Standard.

Revisions must follow the same approval process as outlined for initial Policy issuance.

J. Policy Repeal

Proposals to rescind a Board Policy or Standard will be submitted to the pertinent University Council in the same manner as the review process for a new Board Policy or changes to an existing one. Each pertinent Campus Executive must determine the impact on their campus of rescinding a Board Policy.

K. Campus Policies, Guidelines and Procedures

Any campus within the University may issue policies or guidelines that relate to matters of interest predominantly within that particular campus as long as those policies do not conflict with University of Massachusetts Board of Trustee Policies and are consistent with applicable law. These policies or guidelines are to be referred to as Campus policies or Campus guidelines. If the campus wants to list additional campus policies that relate to a Board Policy, they may do so as long as the additional campus policies do not contradict or negate the current Board Policy and the campus policy refers to the Board Policy.

III. RESPONSIBILITIES

A. President's Council (President, Executive & Senior Vice Presidents, and Chancellors)

The responsibilities of the President's Council include:

1. Ensuring that all Board Policies are current and compliant with all statutory requirements and law;
2. Approving or rejecting the final draft of a Board Policy before it is submitted to the Board of Trustees for approval, or;
3. Making changes as necessary or directing further work on the draft policy;
4. Implement Policy once approved by the Board;
5. Assign Campus Executives to the BPWG.

B. Executive reporting to or designated by the President

The responsibilities of the Executive reporting to or designated by the President include:

1. Work closely with the pertinent University Council and ad hoc groups as necessary;
2. Making changes as necessary or directing further work on the draft Policy;
3. Submit the final draft of a Board Policy to the President's Council for approval.

C. University Council

The responsibilities of the University Council(s) includes reviewing each Board Policy draft and advising the Executive reporting to or designated by the President whether or not to approve further action relative to the Policy or submit the Policy to the President's Council for approval.

D. President's Office Designees

Individuals reporting to the pertinent Executive reporting to or designated by the President with these responsibilities:

1. Drafting Board Policy concept with input from standing committees and/or functional or ad hoc groups;
2. Present concept or draft Policy to the pertinent Executive reporting to or designated by the President.

E. Campus Executive(s) or designee(s) (Generally the member of the applicable Council responsible for the policy review)

Responsibilities include:

1. Acting as a liaison with campus personnel and President's Office designees;
2. Identifying the need for a new Board Policy or a modification to an existing Board Policy;
3. Drafting the Board Policy concept;
4. Presenting the Board Policy concept to the Executive reporting to or designated by the President;
5. Communicating new or modified Board Policy to appropriate campus offices.

F. Board Policy Working Group (BPWG)

Members of the BPWG are appointed by the President and Chancellors. A Chair shall be designated. The BPWG serves as an advisory group to the University Councils. The BPWG's responsibilities include:

1. Assist in the review of new and existing Board Policy drafts for practicality, clarity, and adequacy of the document for the University's operations;
2. Working with the Campus Executive, or designee, and the pertinent University Council assigned for each Board Policy;
3. Assist in eliminating conflicts between Board Policies to the extent possible;
4. Review Policy drafts for consistency with laws or other external requirements, as well as consistency with the University's mission, vision, and values.

G. Campus Policy Coordinator

Responsibilities include:

1. Communicating with the Secretary to the Board of Trustees on new or amended Board Policy;
2. Communicating new or modified Board Policy to appropriate campus offices.

H. Secretary to the Board of Trustees

The Secretary to the Board of Trustees functions as the gatekeeper for Trustee Policy and any modifications to such documents. At a minimum the Secretary shall;

1. Establish a calendar for the regular review of all Board Policies;
2. Communicate on an annual basis with the pertinent Executive a summary of policies under their general authority;
3. Establish and maintain the official Board Policy template;
4. Upon receipt of any proposal to amend or develop a Board Policy, the Board Secretary will provide a copy of the request to the pertinent Executive reporting to or designated by the President and the Office of the General Counsel;
5. Send the Campus Policy Coordinator all information regarding new, revised or rescinded Board Policy.

Doc. T13-093, as amended | Policy for Creating and Establishing Board Policy & Standards

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