



BOV POLICY # 01 (2014) Creating and Maintaining Policies

Title:	Creating and Maintaining Policies
Policy Type:	Board of Visitors
Policy No.	BOV Policy # 01 (2014)
Approval Date:	May 3, 2019
Responsible Office:	President's Office
Responsible Executive:	University President
Applies to:	University Community

POLICY STATEMENT

Norfolk State University is committed to supporting and promoting a culture of accountability and transparency and expects all members of the University Community to conduct the University's business in a lawful and ethical manner.

The authority for the governance of the University is vested by statute in the Board of Visitors by the General Assembly of the Commonwealth of Virginia. All bylaws, handbooks, policies, regulations, and procedures for faculty, students, administration, alumni, and other organizations of the University must be consistent with, or subordinate to the Bylaws and Policies of the Board of Visitors of Norfolk State University.

All members of the NSU community play a vital role in the development and execution of University policies. The University is fully committed to the principles of shared governance. Accordingly, any member of the University community may recommend a new policy or changes to existing policy by obtaining the initial approval of their Division Vice President and thereafter using the process set forth in this policy. All University policies must be properly approved and posted in the University Policy Library.

Consistent with the best practice articulated by the Southern Association of Colleges and Schools Commission on Colleges (adopted by the SACSCOC Board of Trustees, June 2018), policy documents must include:

- A concise statement of the purpose of the policy and assurance that it is aligned with institutional or unit purposes; and
- The implementation date and the dates of any subsequent revisions to the policy.



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PURPOSE

This policy¹ provides for the creation and maintenance of all University policies and establishes expectations for accountability; clear, consistent formatting; institution-wide publication; and periodic review and evaluation. All members of the University community should be aware of and uphold the policies of the University. Failure to do so may result in disciplinary actions up to and including dismissal.

STATEMENT OF UNIVERSITY GOVERNANCE

The Board of Visitors is the governing body of the University with the fiduciary duty to advance and protect the interests of Norfolk State University. The Board is responsible for University operations including requests for appropriations (§ 2.2- 2100, *Code of Virginia*). The Board has the power to establish rules and regulations for the University (§ 23-9.2:3, *Code of Virginia*) and other powers, authority and duties as specified (§§ 23-174.1 through 23-174.7, *Code of Virginia*). The Board recognizes the need for the combined participation of the Board, administration, faculty, students, alumni, and staff in the internal affairs and operations of the University. Refer to the *Statement of Governance* (adopted by the Board of Visitors on 12/13/2013).

The Board prescribes the duties of the President, who is the chief executive officer of the University. Certain authority and responsibilities have been delegated to the President as defined by the *Board Bylaws* (amended 2015). Generally, all communication of an official nature directed to the Board of Visitors shall be channeled through the Office of the President and subsequently forwarded to the Board of Visitors within a reasonable time.

Representative groups provide valuable contributions into the internal affairs and operations of the University and are afforded opportunity to provide input to the Board of Visitors in its policy-making function. The groups and individuals include: the President, Provost and Vice President for Academic Affairs, Vice Presidents, Faculty Representative Body, and Student Representative Body. Each group shares in the important responsibility of administering and implementing all policies that guide students, faculty and staff of the University.



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The primary distinction between the policy-making functions of the governing board and the groups sharing in the governance of the University is the Board's broad statutory authority to develop policy, rules and regulations for the University and its enumerated powers, authority and duties specified in the *Code of Virginia*.

TYPES OF POLICIES

There are four types of policies at Norfolk State University:

- **Board of Visitors Policy** (hereinafter, "BOV Policy"): addresses governance of the University and requires a majority approval of the Board of Visitors. BOV Policy may be required by statute or other legislative action. The authority to determine when a policy warrants Board of Visitors level of approval rests with the Board and the President with the advice of University Counsel.
- **Administrative Policy**: addresses critical operational matters to ensure compliance with applicable laws, regulations, and policies at the federal, state or local levels. Administrative Policies do not address practices or procedures, and have broad application throughout the University.
- **Interim Policy**: provisional policy issued by the Board of Visitors or the President that satisfy an emergent need or exigency. Interim policies expire 90 days after implementation and may be transitioned to either a BOV or Administrative policy.
- **Local Policy**: narrowly tailored policy that addresses the unique needs of, and generally applies to or affects, one unit, division, department, or school.

DEFINITIONS

Emergent Need or Exigency: a need or situation arising unexpectedly or calling for prompt action and requiring immediate action or decision.

Policy: a document which articulates requirements and expectations for behavior, actions and activities of the university community. A policy may require or prohibit an action, support compliance with applicable laws and regulations and/or mitigate risk.

Policy Administrator: Employee designated by the University President to administer the University's policymaking process. The Policy Administrator is responsible for overseeing institution-wide compliance with the provisions of this policy.

Policy Library: the official online repository of all existing BOV, Administrative, Interim, and Local University Policies.

Policy Statement: describes the purpose, key requirements and expectations of the policy.



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Procedures: Step-by-step descriptions of the tasks required to support and carry out University policies. Procedures articulate the process for accomplishing policy requirements. Procedures might also document a course of action accomplished in a defined order, ensuring the consistent and repetitive approach to accomplish policy requirements.

Related Documents: may include federal regulations, state regulations, state policies, and University policies, procedures and guidelines. Related Documents are critical to the development of corresponding policies and procedures.

Responsible Executive: Cabinet level senior executive with management responsibility for one of the University's major operating units. Responsible Executives are fully accountable for ensuring that all university policies under their control comply with the provisions of this policy.

Responsible Office: The Responsible Office is the office charged with policy ownership. Ownership includes authorship and accountability for a policy; accuracy of the subject matter; education and training to appropriate audiences; enforcing and monitoring compliance with the policy; and timely review.

Timely review: is determined to mean a triennial review, at a minimum, for necessary revision. Pending regulatory changes that require policy revision and implementation that occur before the review date—each Responsible Office has this responsibility.

Significant Policies: Those policies that directly impact life, safety, and the financial viability of the University as identified by the Board of Visitors, University President, or Responsible Executives (E.g. Campus Safety, Weapons, Title IX, Student Privacy, Employee Code of Ethics and Employee Conflict of Interest, etc.) When designing policy education, training, and compliance programs, policy owners should ensure that significant policies receive priority.

Stakeholder: For purposes of this policy, stakeholders include but are not limited to the members of the University Community and those external constituents with a vested interest in the University. (E.g. alumni, local and state government, local business leaders, local community leaders, etc.)

University Governance: For purposes of this policy, University Governance consists of the following internal groups or individuals in the following order of approval authority:

1. Board of Visitors
2. President
3. Provost and Vice President for Academic Affairs
4. Vice Presidents
5. Faculty Senate



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University Community: includes all Board of Visitors members, administrators, faculty, staff, students, student employees, contractors, agents, visitors and volunteers of Norfolk State University.

INTERPRETATION

The Norfolk State University Board of Visitors and President's Office officially interpret this policy. The University Policy Administrator serves as the oversight authority for implementing the requirements of this policy. Generally, all communication of an official nature directed to the Board of Visitors shall be channeled through the Office of the President and subsequently forwarded to the Board of Visitors within a reasonable time.

The President, in cooperation with the Board of Visitors, is responsible for facilitating adoption, amendment, modification or repeal of this and all BOV Policies. Questions regarding this policy should be submitted to the President's Office.

CREATING AND MAINTAINING POLICIES

I. Policy Initiation

Any member of the University community may recommend a new policy or changes to an existing University policy through the following process:

- Step 1: Submit a Statement of Proposed Policy or Statement of Proposed Policy Change to the University's Policy Administrator for review and proper routing to the appropriate Responsible Executive for consideration. Statements of Proposed Policy or Statements of Proposed Policy Change must be submitted through the University Policy Library to ensure appropriate consideration and tracking. The proponent must designate the proposed policy as either a proposed BOV, Administrative or Local policy. Before initiating any policy action, it is strongly recommended that input be sought from the Responsible Office with subject matter jurisdiction to assess the need for the proposed policy or change to existing policy.
- Step 2: Responsible Executives with subject matter jurisdiction will make every reasonable effort to formulate a recommendation regarding approval or disapproval of policy proposals within 30 calendar days of receipt from the University Policy Administrator. Such recommendations for approval/disapprovals must be communicated to the Policy Administrator for tracking and further action. Approved policy proposals must also designate the Responsible Office for policy development. Such designation shall be made by the Responsible Executive with subject matter jurisdiction over the policy proposal.



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Recommended disapproval of policy proposals will undergo additional reviewed by the Policy Administrator, and when necessary, University Counsel to ensure that such disapproval is warranted. In the case of BOV policy proposals that are disapproved by a Responsible Executive, the Policy Administrator shall forward to the Rector of the BOV a copy of the initial policy proposal together with a statement explaining the Responsible Executive's rationale for disapproval. The Rector may present the policy proposal to the BOV or its Executive committee for further consideration.

The Policy Administrator will notify policy initiators in writing as to the disposition of all submitted policy proposals.

- Step 3: The University Policy Administrator will forward approved policy proposals to the designated Responsible Office for policy development.

II. Policy Development

As recognized subject matter experts, the designated Responsible Office is responsible for all aspects of policy development. This includes analyzing the proposed policy's potential impact on the University, ensuring that relevant stakeholders are involved throughout the policy development process, and drafting the policy. All University policies shall utilize the prescribed Policy Template. Each policy shall be clearly identified as a Board Policy, Administrative Policy, Interim Policy, or Local Policy in accordance with BOV Policy # 02 (2014) Policy Classification and Numbering System. The University's Policy Administrator is available to consult on questions related to the requirements of this policy.

Draft policies must identify:

- The policy type;
- The Responsible Office for implementing the policy;
- The means by which University stakeholders are informed of the policy and procedures to be followed thereof;
- A timeline for completion of procedures and development of education and training plans for impacted stakeholders;
- A clearly defined methodology for monitoring compliance with the policy and reporting results; and
- A schedule for reviewing the effectiveness of the policy and its attendant procedures.



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III. Policy Approval

Following completion of the initial policy draft, the Responsible Office must complete the following steps to secure policy approval:

- Step 1: Submit the initial policy draft to the Responsible Executive for review and approval.
- Step 2: Submit the initial policy draft to University Counsel for legal sufficiency review.
- Step 3: Once the policy has been fully cleared for legal sufficiency, submit the draft to the University Policy Administrator for posting to the University Policy Library for public comment. All Board of Visitors and Administrative policies must be posted online for a public comment period of not less than 30 calendar days.
- Step 4: The Responsible Office in conjunction with the Responsible Executive, University Counsel, and University Policy Administrator shall review, and if necessary, incorporate into the policy draft any relevant changes received during the public comment period. The University Policy Administrator will also review the policy to ensure that it satisfies form requirements.
- Step 5: *Administrative Policies* – The Responsible Executive will present the final policy to the Cabinet for review and approval. The Cabinet may recommend the policy favorably to the University President by a simple majority vote. The University President may accept the Cabinet’s recommendation, reject the recommendation, or direct that changes be made to the policy proposal. Administrative policies that conflict with BOV policies or other BOV actions are void.
- Step 5: *Board of Visitors Policies* - The Responsible Executive will present the final policy to the President and Cabinet for approval by simple majority vote. If approved by the Cabinet and President, the University Policy Administrator will present the policy draft during the next scheduled meeting of the Board of Visitors Policy Committee. The BOV Policy Committee may approve, amend, or reject the policy by a simple majority vote. Approved policies will be posted to *Board Effect* within 5 business days of approval, and considered by the full Board of Visitors during its next scheduled meeting.
- In the event that the proposed BOV policy is rejected by the Cabinet and President, the policy administrator shall nonetheless forward the proposal to the Rector together with the President’s rationale for rejection. The Rector may present the proposed policy to the BOV or Executive Committee for consideration.

Note that Board of Visitors Policies may be adopted, amended, modified or repealed, in whole or in part at the direction or initiation of the Board or at the suggestion of the President. Board Bylaws require an affirmative vote of at least seven of the voting members of the board provided that that notice of the proposed change has been given at least 15



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calendar days prior to the board meeting. A vote of at least seven of the voting members of the board is also required for the adoption of new BOV Policy. Each member of the Board shall be provided a copy of the policy in final form along with subsequent updates of the *Board Informational Guide*. BOV Policies are effective upon adoption by the Board, or the Executive Committee when the Board is not in session, unless a different date is fixed by the Board.

- **Step 5: Local Policies** – Local policies are approved by the responsible Executive, and do not require further review or action by the Cabinet and President. Any local policy that conflicts with a Board of Visitors, Administrative, or Interim policy is void. Responsible Executives are accountable for all local policies within their divisions, and are fully responsible for ensuring compliance with the provisions of this policy.

Interim Policy

Interim Policies are provisional policies issued by the Board of Visitors or the President to satisfy an emergent need or exigency. When an emergent need or exigency is declared or deemed necessary by the Board of Visitors or the President, the procedural requirements for policy initiation, development, approval or publication are suspended. Interim policies expire 90 days after implementation and may be transitioned to either a BOV or Administrative policy.

Initiation, Development, and Approval

The Responsible Executive or Office identifies the need for an Interim Policy to fulfill an emergent need until a final policy can be adopted. University Legal Counsel must be consulted to ensure that the resulting Interim Policy satisfies legal sufficiency requirements.

IV. Publication of Policies

All Board of Visitors, Administrative, Interim, and Local policies shall be widely published or distributed to the University community. To ensure timely publication and distribution thereof, the University Policy Administrator will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of approval;

Submit the policy for inclusion in the online University Policy Library within 14 days of approval.

The Responsible Office will:

- Educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.
- Evaluate the effectiveness of policies at achieving the desired results/outcome.



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- Monitor compliance and address or report detected issues.
- Strive to review and evaluate Policies on a triennial basis or sooner as required.

Failure to satisfy procedural requirements does not invalidate this policy.

V. Policy Review Schedule, Evaluation, and Compliance Requirements

All policies must designate the Responsible Office that owns the policy and is responsible for its administration and implementation. Ownership includes authorship and accountability for a policy; accuracy of the subject matter; education and training to appropriate audiences; and enforcing and monitoring compliance with the policy.

Responsible Executives are fully accountable for ensuring university wide compliance with policies under their control, and must ensure that compliance plans are developed for each policy. When developing compliance plans, priority should be given to significant policies as defined in this policy.

To ensure conformity with this policy, the University Policy Administrator will require all policy owners to evaluate policy effectiveness and compliance for all policies. The University Policy Administrator, in concert with the Internal Auditor, and ARMICS program lead will develop a uniform evaluation and compliance reporting tool, which policy owners must utilize for compliance reporting. Reporting of policy effectiveness and compliance shall be required monthly to Responsible Executives and quarterly to the University Policy Administrator and Internal Auditor.

Effective Date and Review Period

Policies become effective on the date specified in the policy. The Responsible Executive or Office is responsible for implementation in accordance with the policy and any procedures included therein. All policies shall include a scheduled review date, which shall be on a triennial basis unless earlier review is warranted.

Revisions

Any revision to existing BOV and Administrative policies must be approved through the prescribed process set forth in Section I of this policy. Revisions to BOV policies shall be initiated by the Board or upon the recommendation of the President. Responsible Executives may initiate revisions to Administrative policies by following the prescribed process set forth in Section I of this policy.

Policy owners must include a detailed summary of all revisions made to individual policies whenever such revisions occur. This summary of revisions must be submitted to the University Policy Administrator along with the revised policy for inclusion in the University Policy Library within 10 business days after such revision is approved.



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If a policy is believed to be obsolete, retirement may be requested for approval from the:

- Board of Visitors for BOV Policy.
- Responsible Executive for Administrative and Local Policies

Upon retirement, notification should be sent to the University Policy Administrator, so that the policy can be removed from the University Policy Library, and transitioned to the University Archive.

Next Scheduled Review: September 2020

Approved date: March 17, 2016; September 15, 2017; May 3, 2019

Revision History: March 19, 2015; August 28, 2017; May 3, 2019

Supersedes (previous policy): NSU Policy No. 01.001 Formulating and Issuing a University – Wide Policy

Related Documents

[Board Bylaws](#) (amended 2017)

[BOV Policy #02 Classification and Numbering System](#)

[Board Policy # 03 \(2014\) Faculty Role in University Governance](#)

Forms

[Policy Template](#)

[Statement of Proposed Policy](#)

[Statement of Proposed Policy Change](#)

ⁱ This policy is adapted from Virginia Commonwealth University's Policy Creating and Maintaining Policies and Procedures (rev. 2011; 2002).