

## AGENDA ITEM

### 3. Amendment of Policy 100.2 ..... Tom Shanahan

**Situation:** The proposed revision of Policy 100.2 will authorize the secretary of the University, in consultation with the senior vice president and general counsel, to make technical corrections to the Policy Manual.

**Background:** The Board of Governors retreat in February 2016 and the recent organizational assessment of UNC General Administration revealed the need for adjustments to the UNC Policy Manual to aid in eliminating outdated and incorrect provisions of existing policy. The Committee on University Governance has been assigned the responsibility for coordinating technical corrections to the Policy Manual, and so this proposed policy change that more specifically defines “technical changes” is being brought to the Committee for review.

**Assessment:** To facilitate the needed adjustments to the Policy Manual, the secretary of the University, in consultation with the senior vice president and general counsel, should have authority to make technical changes. These changes are defined as ones that will correct typographical errors; reflect changes in names, titles, statutory and regulatory references, and other designations; correct inconsistencies among policies that may result due to a more recent policy adoption, amendment, or rescission; assure that board delegations and resolutions are accurately reflected throughout *The Code* and Policy Manual; annotate policies, regulations, and guidelines to cross-reference other provisions of the Policy Manual. Technical corrections will then be reported to the Committee on University Governance and chair of the Board of Governors. The proposed revisions further makes necessary technical corrections to the policy and reorganizes the policy to clarify the procedures for adoption and amendment of policies, regulations, and guidelines.

**Action:** This item requires a vote by the Committee, with full Board approval by the consent agenda at the next meeting.

**Adoption of the Policy Manual, Rescission of Prior Policies, and Promulgation of Policies**

The Board of Governors adopts The University of North Carolina Policy Manual as the official document articulating Board of Governors' policies and the administrative regulations and guidelines of the president. Policies existing prior to the adoption of this policy and not included in the Policy Manual are rescinded and are no longer in effect.

**I.** Definitions

A. Policies: Policies direct the University of North Carolina, its constituent institutions and affiliated entities according to the board's mission and philosophies. Policies should articulate in a concise manner the official statement of the board on issues it deems important to the governance of the University. The Board of Governors is the only entity that may establish a policy of the University.

B. Regulations: Regulations are those rules or requirements of the president that the General Administration, the constituent institutions, and the designated affiliated entities are required to follow.

C. Guidelines: Guidelines are interpretations of policies or other requirements that are issued for the assistance of the General Administration, the constituent institutions, and the University's affiliated entities in conducting the affairs of the University.

D. Transmittal Letters: Transmittal letters will be used to transmit new or amended policies, regulations, or guidelines to the campuses. They will not contain information with long-term significance and will not be included in the Policy Manual. Transmittal letters will be sequentially numbered.

**II.** Procedures for Adoption or Amendment of Policies, Regulations, and Guidelines

A. Before the board may adopt, amend, or repeal a policy, a standing or special committee of the board must give notice of its proposed action concerning the policy by making a public announcement at a prior meeting of the board or by notice given to members of the board at least 28 days prior to the meeting at which action on the policy is proposed. At the meeting of the board at which the board is to take action, the committee's proposal may be adopted, adopted with amendments, or rejected.

~~b. — Once a board policy is adopted, the Vice President and General Counsel will assign it an outline number and the Secretary of the University will incorporate it in the Policy Manual, denoting it in the contents with capital letters. The first page of every policy shall note its promulgation date and dates of amendment. Policies and amendments shall state an effective date if that date is different from the date of adoption.~~

~~c. — The Secretary of the University will maintain a permanent record of each policy adopted or amended by the Board of Governors and will prepare a transmittal letter to transmit each to the vice presidents, chancellors, and others, as designated by the President.~~

**B.** ~~Procedures for adoption of regulations and guidelines~~

a. Regulations and guidelines pertaining to board policies, or other matters not addressed by a policy, will be promulgated only by the president ~~and distributed to the campuses~~. The terms "policy," "policies," or "procedures" will not be used to designate regulations or guidelines.

~~b. — Regulations or guidelines may be issued by the president on the president's initiative or on the recommendation of a vice president after the President's cabinet has senior officers and staff~~

~~designated by the president have~~ had an opportunity to review and comment on the proposal. All regulations and guidelines issued by the president will be signed and dated by the president.

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### III. Maintaining the Policy Manual; Technical Corrections

A. The senior vice president and general counsel will assign ~~an outline each policy, regulation, and guideline a number for use when the~~ and the secretary of the University will incorporate it in the Policy Manual. The first page of every policy, regulation or guideline shall note its promulgation date and dates of amendment. Policies, regulations, guidelines ~~are incorporated into the Policy Manual, and amendments thereto, shall state an effective date if that date is different from the date of adoption.~~

~~d. The President or the vice president responsible for proposing a new~~ B. The secretary of the University will maintain a permanent record of each policy, regulation, and guideline adopted or amended ~~regulation or guidelines shall, after it is signed by the President, Board of Governors or the president and will prepare an appropriate~~ transmittal letter, ~~obtain a number for the transmittal letter from the Secretary of the University, and shall to~~ transmit ~~it~~ each to the ~~vice president~~ senior officers, chancellors, ~~Secretary of the University,~~ and others, as designated by the president.

e. The secretary of the University will control the numbering of transmittal letters and will keep a permanent record of each transmittal letter and the accompanying policy, regulation or guideline.

### 4. ~~Maintaining the Policy Manual~~

C. The Policy Manual will be maintained in hard copy form and in a format accessible ~~via the world wide web, on the University's website and will be updated regularly to include new or amended policies, regulations, and guidelines.~~

D. The secretary of the University, in consultation with the senior vice president and general counsel, ~~will be responsible for updating~~ is authorized to make technical changes to the Policy Manual as defined below:

1. Correct typographical errors;

2. Make conforming changes to names, titles, statutory and regulatory references, and other designations;

3. ~~electronic version~~ Correct inconsistencies among policies that may result due to a more recent policy adoption, amendment, or rescission;

4. Assure that board delegations and resolutions are accurately reflected throughout The Code and Policy Manual; and

5. Annotate policies, regulations, and guidelines to cross-reference other provisions of the Policy Manual ~~regularly and the hard copy version of it biennially by including new or amended policies, regulations, and guidelines. Hard copies will.~~

Any corrections or changes that are made pursuant to this policy shall be distributed summarized and reported in writing to the ~~members~~ chair of the Board of Governors; the President, the vice presidents, chancellors, and others, as designated by the President and the Committee on University Governance.

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### **I. Definitions**

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B. Regulations and guidelines pertaining to board policies, or other matters not addressed by a policy, will be promulgated only by the president. The terms "policy," "policies," or "procedures" will not be used to designate regulations or guidelines. Regulations or guidelines may be issued by the president on the president's initiative or on the recommendation of a vice president after senior officers and staff designated by the president have had an opportunity to review and comment on the proposal. All regulations and guidelines issued by the president will be signed and dated by the president.

### **III. Maintaining the Policy Manual; Technical Corrections**

A. The senior vice president and general counsel will assign each policy, regulation, and guideline a number and the secretary of the University will incorporate it in the Policy Manual. The first page of every policy, regulation or guideline shall note its promulgation date and dates of amendment. Policies, regulations, guidelines, and amendments thereto, shall state an effective date if that date is different from the date of adoption.

B. The secretary of the University will maintain a permanent record of each policy, regulation, and guideline adopted or amended by the Board of Governors or the president and will prepare a transmittal letter to transmit each to the senior officers, chancellors, and others, as designated by the president. The secretary of the University will control the numbering of transmittal letters and will keep a permanent record of each transmittal letter and the accompanying policy, regulation or guideline.

C. The Policy Manual will be maintained in hard copy form and in a format accessible on the University's website and will be updated regularly to include new or amended policies, regulations, and guidelines.

D. The secretary of the University, in consultation with the senior vice president and general counsel, is authorized to make technical changes to the Policy Manual as defined below:

1. Correct typographical errors;
2. Make conforming changes to names, titles, statutory and regulatory references, and other designations;
3. Correct inconsistencies among policies that may result due to a more recent policy adoption, amendment, or rescission;
4. Assure that board delegations and resolutions are accurately reflected throughout *The Code* and Policy Manual; and
5. Annotate policies, regulations, and guidelines to cross-reference other provisions of the Policy Manual.

Any corrections or changes that are made pursuant to this policy shall be summarized and reported in writing to the chair of the Board of Governors and the Committee on University Governance.