



TRANSMITTAL LETTER

The University of North Carolina

Office of the President

Number: 1.

Date: October 16, 2001

Subject:

Policy on Adoption of the Policy Manual, Rescission of Prior Policies and Promulgation of Policies, Policy # 100.2.

Guidelines for Proposing Policies of the Board of Governors and Regulations and Guidelines, Guidelines # 100.2[G].

This transmittal letter distributes the Policy on Adoption of the Policy Manual, Rescission of Prior Policies and Promulgation of Policies, Policy #100.2 which was adopted by the Board of Governors on 09/14/01. This transmittal letter also distributes the Guidelines for Proposing Policies of the Board of Governors and Regulations and Guidelines by the President, #100.2[G] approved by the President on 10/12/01.

Please contact Leslie Winner, Vice President and General Counsel, the originator of Policy 100.2 and Guidelines 100.2[G], at 919-962-4588 if you have questions.

Adopted 09/14/01

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 Policies existing prior to the adoption of this policy and not included in the *Policy Manual* are rescinded and are no longer in effect.

1. 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.

2. Procedures for adoption or amendment of policies

- 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.

3. 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 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 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.
- c. The Vice President and General Counsel will assign an outline number for use when the regulation or guidelines are incorporated into the *Policy Manual*.
- d. The President or the vice president responsible for proposing a new or amended regulation or guidelines shall, after it is signed by the President, prepare an appropriate transmittal letter, obtain a number for the transmittal letter from the Secretary of the University, and shall transmit it to the vice presidents, 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 regulation or guideline.

4. Maintaining the *Policy Manual*

The *Policy Manual* will be maintained in hard copy form and in a format accessible via the world wide web. The Secretary of the University, in consultation with the Vice President and General Counsel, will be responsible for updating the electronic version 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 be distributed to the members of the Board of Governors, the President, the vice presidents, chancellors, and others, as designated by the President.

Adopted 10/12/01

**Guidelines For Proposing Policies
Of The Board Of Governors And
Regulations And Guidelines By The President**

On Friday, September 14, 2001, the Board of Governors approved the Adoption of the Policy Manual, Rescission of Prior Policies and Promulgation of Policies. Several inquiries about assigning numbers and drafting transmittal letters prompts this proposed step-by-step guidelines to facilitate this process.

This is a draft document for discussion at the Cabinet meeting.

A. Procedure for adoption or amendment of policies

1. Staff of the standing or special committee will draft policy language that "should articulate in a concise manner the official statement of the board on issues it deems important to the governance of the University." BOG Policy 100.2(1)(a). The vice president of the division should approve the draft policy before it is submitted to the appropriate standing or special committee to the board for adoption. The General Counsel will assign an outline number before the policy is presented to the board committee or during the 28-day waiting period.
2. Discussion of the policy at the standing or special committee of the board should include an explanation from the staff about the policy's interpretation, implementation, effective date and time limits.
3. Before the board adopts, amends, or repeals a policy, the standing or special committee must make a public announcement of the proposed action either at a prior meeting of the board or at least 28 days prior to the meeting at which action on the policy is recommended to occur. BOG Policy 100.2(2)(a).
4. Once the board adopts the policy and the General Counsel assigns an outline of the number, the Secretary of the University will incorporate the policy into the electronic version *Policy Manual*.
5. The vice president of the division that drafted the policy will provide an original of the adopted version of the policy and any accompanying regulations and guidelines to the Secretary of the University for the permanent record and for distribution pursuant to BOG policy 100.2(2)(c). These should be provided in both electronic and paper versions. The pertinent vice president should identify any additional parties that should receive this information to the Secretary of the University.
6. The Secretary will prepare the transmittal letter and distribute it in accordance with BOG Policy 100.2(2)(c). Administrative Memoranda and Administrative Memoranda numbers will not be used.
7. Transmittal letters will inform University officials and the public of new or amended policies, regulations or guidelines. Transmittal letters will not define, interpret or discuss the policy or relevant dates. They will inform of the adoption of the policy and identify a contact person for comments or questions.
8. Transmittal letters will contain sequential numbering and cross-reference the pertinent policy and regulation and/or guidelines.

B. Procedure for adoption of regulations and guidelines

1. Regulations, which are requirements, and guidelines, which are issued for assistance, may be issued by the President on the President's initiative or on the recommendation of a vice president. If the regulation or guidelines are recommendations of a vice president, the President's cabinet must have the opportunity to review and comment on the document before it is issued.
2. Regulations and guidelines may not be designated as a "policy," "policies," or "procedures."
3. In most cases, staff should prepare the guidelines and/or regulations related to a policy, if any, after the initial presentation of the policy to the board committee that is considering it but before the policy is finally adopted. These regulations or guidelines should include:
 - a. Any forms that are to be filed pursuant to the policy;
 - b. Any implementation timeline to be followed;
 - c. Applicable definitions;
 - d. Processes and procedural information.
4. Regulations and guidelines are not approved by the Board of Governors. However feedback from the Board or others after the initial presentation of the policy may provide guidance that is useful in drafting regulations or guidelines.
5. Regulations or guidelines not related to a policy should specify the definition of terms, implementation dates, forms to be used, time limits (if applicable), and effective dates.
6. Regulations and guidelines must be dated and signed by the President. After that the General Counsel will assign an outline number for incorporating the regulation or guideline into the *Policy Manual*.
7. The President or Vice President responsible for preparing the regulation or guideline shall:
 - a. Prepare a transmittal letter,
 - b. Obtain a sequential transmittal number from the Secretary of the University,
 - c. Distribute the transmittal letter and attached regulation or guidelines to the vice presidents, the chancellors, and any other parties designated by the President. If, however, the guidelines or regulation is to be distributed simultaneously with the policy it relates to, this distribution will be done by the Secretary to the University, using a single transmittal letter, pursuant to paragraph A.6 above.
8. The President or Vice President who prepared the regulation or guideline shall forward the signed and dated original, an electronic version of it and a copy of the transmittal letter to the Secretary of the University.
9. The Secretary, in consultation with the General Counsel, will update the electronic version of the *Policy Manual* regularly to include new or modified regulations and guidelines.
10. Administrative Memoranda and the accompanying numbering system will no longer be used.