

3341-1-5 Policy on Policy Development.

Applicability	All University units
Responsible Office	The Office of the President
Responsible Administrator	General Counsel

(A) Policy Statement and Purpose

The faculty, staff and others associated with Bowling Green State University (“BGSU” or “the university”) must conduct the activities of the university in compliance with applicable laws, regulations, ethical standards, and best higher education practices. The university must have policies to accomplish this objective. This policy shall govern how official university Policies are defined, proposed, reviewed, approved, issued and maintained. It requires university Policies to be maintained in a uniform and consistent format in a searchable central policy database.

University Policies must adapt to reflect changing circumstances and so may be subject to amendment or rescission at any time in accordance with the provisions of this Policy.

(B) Policy Scope

This Policy applies to any person subject to a university Policy including but not limited to, students, faculty, staff, alumni, volunteers, visitors, and others who provide services or act under the name of the university, including contractors, vendors and consultants.

Each university Policy should set forth, in the “Policy Scope” section, the members of the university community who are subject to the policy.

(C) Policy Definitions

(1) University Policy

A university Policy is a written rule requiring or constraining actions that have general broad application across colleges, schools, departments and operating units. University policies can apply to all members of the university community and to students, faculty, staff, visitors and others coming into contact with the university. A university Policy may set forth a governing principle, establish a controlling best practice, ensure compliance with law or regulation, or it may manage university risk. University Policies are of such importance that there may be institutional or individual consequences for non-compliance.

- (a) Only the university President or the Board of Trustees of the university shall have the authority to issue an official university Policy. The university President shall determine whether a particular policy action will be brought to the Board of Trustees for Board approval.
- (b) University Policies compiled under the authority of this Policy are the official version of the policies of Bowling Green State University. While different versions of these policies may appear elsewhere the official version shall be the one set forth in the searchable central policy database. Other official policies may also be found in the Academic Charter, in collective bargaining agreements, or other contracts.
- (c) All Bowling Green State University faculty, staff and students are expected to know and comply with university Policies applicable to them.
- (d) The university President has the discretion to construe any ambiguous or disputed policy provision and may delegate this responsibility.
- (e) All official university Policies shall be centrally maintained by the Office of General Counsel on its website. Policies

should not be paraphrased. Units referencing a policy should link to the full text on the Office of General Counsel website.

- (f) A university Policy must be recommended by senior university officers.
 - (g) A policy approved by the President or the Board of Trustees shall remain in effect until modified or rescinded in accordance with this Policy.
- (2) **Responsible Office:** The university unit responsible for initiating, drafting, and administering a university Policy. The Responsible Office leads policy development and is responsible for identifying, proposing, reviewing and requesting the adoption, modification or rescission of a university Policy. This is the university unit that will be principally responsible for administering the Policy.
 - (3) **Responsible Administrator:** The university Vice President, Associate Vice President, Dean, Director or other executive responsible for supporting, sponsoring, recommending and administering a university Policy.
 - (4) **Policy Statement and Purpose:** Statement set out at the beginning of a university Policy document that summarizes the purpose and core provisions of the Policy.
 - (5) **Effective Date:** The date an official policy goes into effect. This will usually be the date when the policy, filed as a rule, becomes effective in the Register of Ohio and the Ohio Administrative Code.
 - (6) **Revision Date:** The effective date of a revision to an official university Policy.
 - (7) **University procedures:** The operating procedures developed by the Responsible Office to implement a university Policy. University procedures are not “university Policies” and do not have to be approved according to the process described in this Policy. University procedures must be consistent with and not conflict with university Policies. Procedures that conflict with university Policies are void and unenforceable.

- (a) Procedures must be reviewed and approved by the Responsible Administrator prior to adoption and publication. Procedures relating to contracts or international activities should be reviewed by the Office of General Counsel prior to adoption.
 - (8) Authority of the university Board of Trustees and President: Nothing in this policy limits the authority of the university Board of Trustees or the university President to issue, amend, or revoke university Policies or the policies and procedures of any university college, school, or other operating unit at any time.
 - (9) Application to the Board of Trustees: Only those university Policies that are approved by the Board under the Board's Bylaws are applicable to the Board and/or its individual members.
 - (10) Application to members of a BGSU-recognized bargaining unit: to the extent that any provision of a collective bargaining agreement (CBA) conflicts with a university Policy, the provision of the CBA shall prevail, unless that provision conflicts with an applicable statute, law, ordinance, or federal regulation or with a rule promulgated under Chapter 119 of the Ohio Revised Code.
 - (11) Application to the university community: All members of the university community, including visitors, are subject to applicable university Policies in effect.
- (D) Policy
- (1) Adopting New Policies, Amending or Rescinding Existing Policies.
 - (a) The issuance of new university Policies, or the amendment or the rescission of existing policies, requires the approval of the Board of Trustees or the university President.
 - (b) Any university office or unit, including the Faculty Senate, may identify the need for adopting, amending or rescinding a university Policy. Units seeking to adopt, amend or rescind a university Policy must communicate that request to the unit's Responsible Administrator who will determine whether to support and sponsor the request.

- (c) To ensure that university Policies have a uniform appearance and form, university Policies shall conform to the standard university Policy format prescribed by this Policy.
- (d) Upon deciding to support a request to adopt, modify or rescind a university Policy, the Responsible Administrator shall prepare a draft university Policy in compliance with the standard university Policy format prescribed by this Policy using a template provided by the Office of General Counsel. The Policy format requires a statement of the Policy's purpose and scope; relevant definitions and reference to any related policies. The Responsible Administrator shall also consult with affected university stakeholders and constituencies and complete the Equity Assessment Rubric.
- (e) The proposed university Policy shall be routed to the Office of the General Counsel and the President's Office for inclusion on the agenda for the Policy Review Council. The Policy Review Council will be comprised of six members including the Provost, Chief Financial Officer, General Counsel, Chief Human Resources Officer, Chief Diversity Officer, and Secretary of the Board of Trustees, or their designees. The Responsible Administrator shall also communicate policy stakeholder and constituency feedback, if any, to the Policy Review Council. Before a Policy is advanced for review by the Policy Review Council, the President's Cabinet will be notified that such Policy will be undergoing review.
- (f) The Policy Review Council shall consider the proposed university Policy and shall make recommendations to the university President or the Board of Trustees as appropriate. These may include but shall not be limited to: (a) recommending adoption, amendment, or rescission of the proposed university Policy; (b) recommending against the adoption, amendment or rescission; (c) returning the proposed university Policy to the Responsible Administrator for further action as the Policy Review Council may recommend.

- (g) Upon approval by the President or the Board of Trustees, the President shall sign the university Policy and forward the executed Policy to the Office of General Counsel for inclusion in the Policy register and filing in the Register of Ohio.
- (h) University academic policies that are in the Academic Charter as of the date this Policy on Policy Development is adopted may be included in the central policy register for convenience but shall continue to be subject to the provisions of the Academic Charter governing amendments of the Charter.
- (i) Policies already in effect as of the effective date of the Policy Register, shall be considered approved by the university President.
- (j) The procedures set forth in this subsection shall not apply to revisions of either the student discipline policies and/or the student residence life policies. Revisions thereto shall be effective upon approval by the university President and the Provost.
- (k) The procedures set forth in this subsection shall not apply to minor policy amendments. A policy amendment is minor if it is required by law, regulation, or executive order; if it makes non-substantive changes to practices or procedures; or if it is needed to better align the policy with another existing university policy. A minor policy amendment may be made by the university President after consultation with the Office of General Counsel, the Responsible Administrator, and the Responsible Office.

(2) Publication and Distribution of Policies

Upon receipt of the executed Policy from the President the General Counsel shall publish the Policy in the central policy register of university Policies, which shall be maintained on the Office of General Counsel website and file the Policy as a rule in the Register of Ohio.

(3) Implementation of Policies

- (a) Upon execution of the university Policy by the university President, the General Counsel shall notify the Responsible Administrator that the policy has been adopted, modified or rescinded.
- (b) Upon notification that a policy has been approved the Responsible Administrator may begin to develop university Procedures to implement and administer the university Policy.
- (c) Retention of Superseded University Policies and Procedures: University Policies that have been modified, rescinded or superseded shall be retained for not less than seven years after the effective date.
- (d) Related Policies: All university Policies.

Equity Impact Statement: The policy has been assessed for adverse differential impact on members of one or more protected groups.

Registered Date: March 16, 2015

Amended Date: February 15, 2016, May 8, 2018, December 10, 2018, March 18, 2020; October 11, 2022