UNIVERSITY OF SOUTH FLORIDA SYSTEM

POLICY

✓USF System ☐ USF ☐ USFSP ☐ USFSM

Number:	**0-001**
Title:	**Regulation and Policy Development**
Responsible Office:	**USF System Services**

Date of Origin: 7-1-74   Date Last Amended: 5-11-17 (technical)   Date Last Reviewed: 5-11-17

I.   PURPOSE & INTENT

Regulations and Policies are adopted to provide reference and guidelines in the administration, operation, management or implementation of the various programs, services, facilities, and activities of the University of South Florida System (USF System). The University of South Florida is a System of higher education composed of multiple campuses and separately accredited institutions located in Tampa, St. Petersburg (USFSP), and Sarasota-Manatee (USFSM). When the term "USF" is used, it refers to the Tampa campus. When the term "USF System" is used it encompasses all separately accredited institutions.

Only the USF System and USF may adopt Regulations. Separately accredited institutions within the USF System may issue separate Policies when appropriate, provided that such Policies are not inconsistent with Regulations, System Policies or other legal requirements. This Policy provides the outline of the process for initiating, developing and maintaining Regulations and Policies for the USF System and USF institutions.

(* Internal Guidelines, Procedures and Protocols are not addressed in this Policy (See Section IV. E.)).

II.   STATEMENT OF POLICY

It is the responsibility of each administrative head to both propose appropriate new Regulations or Policies as defined below and to review and update existing Regulations and Policies in their respective area.

III.   APPLICABILITY & AUTHORITY

The President of the USF System (President) has the authority and responsibility for developing and recommending Regulations and Policies consistent with the Board of Governors (BOG) Regulation Development Procedure for State University Board of Trustees ("BOG Regulation Development Procedure"). Pursuant to the General Delegation

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of Authority (D1), the President has delegated the responsibility for Regulation and Policy development (including establishing and implementing Policies pursuant to the USF System Board of Trustees (BOT) Governance Policy 07-001) to the Vice Presidents, Regional Chancellors, Chief Officers, Executive Directors, and their designees (Responsible Office(s) or RO) as detailed in Section VI of this Policy, and has delegated the authority to promulgate and publish the Regulations and Policies to the Office of the General Counsel (OGC). The BOT has delegated the responsibility for amendments of BOT Policies to the appropriate RO(s).

This Policy statement has been formulated to implement that authority and responsibility and to provide a format for the orderly promulgation of Regulations and Policies within the USF System.

Separately accredited institutions may independently promulgate (propose, adopt and maintain) separate Policies (including independent Development for their own institutional Policies) when appropriate, provided that such Policies are not inconsistent with System Policies, Regulations or other legal requirements. Separately accredited institutions may not promulgate Regulations but may request that the System make necessary adjustments to existing Regulations for implementation consistent with its local facilities or organizational structure.

IV. **DEFINITIONS OF TERMS**

A. **Regulation:** Regulations are addressed in this Policy and the term Regulation is defined by the BOG Regulation Development Procedure. Regulations generally include statements of broad and general applicability to guide the conduct or action of the University System, USF and their constituents or the general public and require approval by the USF System Board of Trustees and the Florida Board of Governors. Generally, guidelines are developed as Regulations because they deal with directives required by Florida Statute, BOG Regulation or other legally recognized entity with the authority to require the University to adopt specific subject matter guidelines. Only the USF System on behalf of all members or USF may adopt Regulations.

B. **Select Regulation:** The term Select Regulation is defined by the BOG Regulation Development Procedure. Select Regulations are Regulations that pertain to student tuition and fees, admissions, and articulation which require approval by the Board of Governors in accordance with the BOG Regulation Development Procedure prior to becoming effective.

C. **Policy**: Policies are addressed in this Policy and are defined as statements with broad application to guide the conduct of the University System or the individual institutions

within the University System and their constituents and require approval by the President or the appropriate Regional Chancellor. Generally, guidelines are developed as Policies to assist with institutional compliance, promote operational efficiencies and/or enhance the System or the individual institution's mission.

D. **Board of Trustees Governance Policies (BOT Policies):** BOT Policies are addressed in this Policy and are defined as policies adopted for the USF System by the Board of Trustees in a noticed open meeting. Such BOT Policies include USF BOT 06-001: Investments, USF BOT 06-002: Derivatives, USF BOT 06-003: Debt Management, USF BOT 07-001: Governance, and USF BOT 09-001: Real Property. A BOT Policy is treated as a Regulation, which will require specific notice and approval by the Board of Trustees (BOT) and internal approvals as required by the USF System (as per this Policy).

E. **Internal Guideline, Procedure or Protocol**: Internal Guidelines, Procedures or Protocols are not addressed in this Policy and are considered statements with specific and limited applications to guide the academic or administrative unit in its routine internal management responsibilities. The academic or administrative area is responsible for adoption, maintaining, updating and applying those internal guidelines, procedures or protocols.

V. PROCESS STEPS

1. Generally, the process <u>for new and revised Regulations and Policies</u> is as follows:

- The Vice President, Chief Administrative Officer or their designee (Responsible Office RO) identifies a need to issue a new or revised Regulation or Policy.

- RO is responsible for developing and reviewing the proposal, which must include gathering suggestions and comments from appropriate campus groups, organizations and USF System offices.

- <u>Format and on-line Template</u>: Using the <u>Regulation and Policy Development Template</u>, the RO drafts a new Regulation or Policy. If only changes are requested, the RO drafts a redlined version of the proposed changes. The RO then submits the template or redlined draft to the Office of the General Counsel (OGC).

- <u>Necessity for Addition or Change</u>: The RO must submit an explanation as to the necessity for the new or revised Regulation/Policy. OGC will determine if the changes are substantive or technical. Technical amendments generally include minor changes to definitions, adjustments to titles or amendments required by statute or Regulation where there is no University discretion for consideration.

Technical amendments may be made without promulgation, however, the requested amendments must be submitted to the OGC for consideration. Updates to hyperlinks and reorganizations of text will be made on a regular basis without a noted technical amendment.

- Final Draft for Promulgation: Upon receipt of the request and completed template from the RO, the OGC will work with the RO to develop a final draft as an official USF or USF System Regulation or Policy with a formal redlined copy showing it in strike-through format.

- Posting & Promulgation: The OGC will initiate the appropriate Promulgation process. Substantive amendments and new Regulations and Policies will be posted on the USF System Regulations and Policies Website for a thirty (30) day review and comment period and, if approved, adopted pursuant to this Policy.

- For Regulations only: Substantive Regulation changes or new Regulations require specific notice and approval by the Board of Trustees (BOT) as per the BOG Regulation Development Procedure, and internal approvals as required by the USF System (as per this Policy). The RO must work with the OGC to initiate and secure review by the appropriate USF System Advisory Councils and appropriate Committees to ensure the Regulation is placed on the BOT agenda for BOT action. Regulations must be posted thirty (30) days before BOT action (this may be before or after Committee review) except for Select Regulations or other special exceptions. Any comments must be submitted within fourteen (14) days of the initial posting date. Final approval for Regulations are memorialized by BOT action. When adopted, the new or amended regulation shall be filed with OGC and posted on the USF System Regulations and Policies Website. When the new or amended regulation is filed, certification of compliance with the BOG Regulation Development Procedure must be included. The effective date is the date of BOT approval unless the effective date is stated otherwise or the Regulation is a Select Regulation. If the Regulation is a Select Regulation, the OGC must send the Regulation to the BOG for a possible sixty (60) day review period before becoming effective.

- For Polices only: Substantive Policy changes or new Policies require posting to the USF System pursuant to this Policy. As a courtesy, OGC will send an email to designated University officials to notify them of such posting. The RO must obtain input from the University offices affected by the new or revised Policy. At the request of an Advisory Council, Board of Trustee Committee or at the discretion of the RO, the Policy will be reviewed by an Advisory Council or Board of Trustee Committee as appropriate. The OGC will post the final draft of the Policy on the USF System Regulations and Policies Website to permit comment and review for thirty (30) days. After the thirty (30) day posting period, the OGC

and appropriate Vice President (or designee) will review the comments and determine if the changes are appropriate. Once this is determined, the OGC will forward the Policy to the appropriate Vice President or Responsible Office(s) for signature. Final approval for Policies are memorialized by the RO's and the President's (or Regional Chancellor's if a separately accredited institution) signatures. As stated in section IV(D), BOT Policies are treated as Regulations and thus, are memorialized by BOT action.

2. Generally, the process <u>for repeal of Regulations or Policies</u> is as follows:

   - The Vice President, Chief Administrative Officer, or their designee (Responsible Office RO) identifies a need to repeal a Regulation or Policy.

   - <u>For Regulations only</u>:
     - The RO must submit a <u>Request to Repeal a Regulation Form</u> to the OGC.
     - The OGC posts notice of the request to repeal on the <u>USF System Regulations and Policies Website</u> 30 days before BOT action.
     - After appropriate Advisory Council and Committee review, the item is submitted for BOT action.
     - After the BOT vote, the Regulation is repealed and archived. Select Regulation repeals are submitted to the BOG as per the <u>BOG Regulation and Development Procedure</u>.
     - When adopted, the repeal shall be filed with OGC and posted on the <u>USF System Regulations and Policies Website</u>. When a repeal is filed, certification of compliance with the <u>BOG Regulation Development Procedure</u> must be included.

   - <u>For Policies only</u>:
     - The RO may submit a <u>Request to Repeal a Policy Form</u> to the OGC.
     - With RO approval, the Policy will be repealed and archived.

3. <u>Final Distribution & Maintenance:</u> (1) OGC will post notice of the final Regulation or Policy adoption or repeal and will provide courtesy email notice to designated University representatives when appropriate; (2) OGC will maintain all Regulations and Policies into a USF System wide official manual and on the <u>USF System Regulations and Policies Website</u>; (3) Separate Accredited Institutions will post, notice and maintain Policies adopted by their individual institution.

4. Regulations and Policies must not conflict with the Board of Governors Regulations, Policies or any other statutes or laws; or applicable collective bargaining agreements.

5. Board of Governors Regulations/Policies will take precedence over USF System Regulations or Policies. Should a new or revised Board of Governors Regulation or Policy statement be issued after a USF System Regulation/Policy has been established, the USF System Regulation/Policy will be applied consistently with the BOG and the USF System Regulation/Policy will be amended to conform to the Board of Governors' statement as soon as possible.

6. <u>Applicable Dates</u>: The "Date of Origin" is the date the Regulation/Policy is initially adopted. This date will not change. The "Amended Date" is the date of the most recent change to the Regulation or Policy following the initial adoption date. The "Review Date" is the date the Regulation/Policy was last reviewed. Repealed Regulations/Policies reflect repeal date when authorized by the appropriate Administrator (For USF BOT Policies the "Date of Origin" is the date of BOT Approval).

VI. **RESPONSIBLE OFFICES FOR TOPICAL AREAS (though titles of the offices may change, the RO will be the Chief Officer of the Administrative topic area):**

The RO or their designee will propose Regulations and Policies and sign if appropriate in their respective topical areas.

a) **Academic Affairs**

The Provost and Executive Vice President for Academic Affairs will normally propose Regulations and Policies regarding academic and other matters related to the University's mission of teaching, research and services and may designate as appropriate to the following offices:

1. **USF World**: The USF System Vice President for USF World will normally propose Regulations and Policies with application primarily in the areas of global presence and international engagement programs.

2. **Student Affairs and Student Success:** The Vice President for Student Affairs and Student Success will normally propose Regulations and Policies with application primarily in the areas of student government, student housing, recreation, health, counseling, student involvement, and the promotion of student development and learning.

b) **Advancement and Alumni Relations**

The Senior Vice President for Advancement and Alumni Relations will normally propose Regulations and Policies with application primarily in the areas of alumni, University development, fundraising, donor recognition and the USF Foundation.

c) Athletics

The Director of Intercollegiate Athletics will normally propose Regulations and Policies with application primarily in the areas of athletic competitions, multimedia rights, athletic sponsorships, or athletic advertising.

d) Business and Finance

The Senior Vice Presidents for Business and Finance/Chief Operating Officer and the Vice President of Business and Finance/Chief Financial Officer will normally propose Regulations and Policies with application primarily in the areas of financial services, purchasing, budget and treasury operations, campus business services, property and equipment, and enterprise business systems and may designate as appropriate to the following offices:

1. **Administrative Services:** The Vice President for Administrative Services will normally propose Regulations and Policies with application primarily in the areas of human resources, facilities management, parking and transportation services, environmental health and safety, and risk management.

2. **Information Technology:** The USF System Vice President of Information Technology and Chief Information Officer will normally propose Regulations and Policies with application primarily in the areas of computing resources, networks and services, technology and support structures including e-mail, web services, telephones, data network, and software licensing.

3. **University Police**: The University Police Department will normally propose Regulations and Policies with application primarily in the areas of public safety, police, and emergency management.

e) Diversity, Inclusion & Equal Opportunity

The Chief Diversity Officer of the Office of Diversity and Title IX Coordinator will normally propose Regulations and Policies with application primarily in the areas of diversity promotion, equal opportunity and Title IX.

f) Government Relations

The Assistant Vice President for Government Relations will normally propose these Regulations and Policies. The Office of Government Relations is the liaison between local, state, regional and federal government and the USF System and ensures that the USF System's legislative priorities are implemented.

g) Research & Innovation

The Senior Vice President for Research, Innovation & Economic Development will normally propose Regulations and Policies with application primarily in the areas of research, including sponsored research, research integrity and compliance and intellectual property.

h) Strategic Development

The Vice President for Strategic Development will normally propose Regulations and Policies with application primarily in the areas of communications network, identity standards, photography, publications, web services and USF System logos and brands.

i) USF Health

The Senior Vice President of USF Health will normally propose Regulations and Policies with application primarily in the areas of medicine, public health, pharmacy, nursing, physical therapy, athletic training, physician assistant and health research and clinical care.

j) USF System Audit

The Chief Audit Executive and Executive Director will normally propose Regulations and Policies with application primarily in the areas of risk management, internal control, and governance processes, as well as promoting accountability, integrity, and efficiency in the operations of the USF System.

k) USF System Compliance & Ethics Program

The Chief Compliance Officer will normally propose Regulations and Policies with application primarily in the areas of creating, supporting, and promoting a system-wide culture of compliance, ethics, and accountability, as well as preventing and detecting violations of law, regulations and policies, and ethical principles of conduct.

l) USF System Services

This area includes all Regulations and Policies of USF System-wide scope and authority and will cover those Regulations and Policies normally distributed by the President's Office and some offices that report directly to the President.

m) Separately Accredited Institutions

For USFSP and USFSM specific Policies, the RO may be the separately accredited institution or a distinct administrative unit within such separately accredited institution. Regional Chancellors will normally propose Policies specific to their separately accredited institution, however such Policies must be consistent with System Policies, Regulations or other legal requirements.

VII.   ADDITIONAL RESOURCES:

- Link to Regulation and Policy Index: http://regulationspolicies.usf.edu/regulations-and-policies/regulations-policies-procedures.asp

- Link to Regulation and Policy Development Template: http://regulationspolicies.usf.edu/regulation-policy-development-repeal/pdfs/regulation-policy-development-template.pdf

- Link to Regulation and Policy Development Flowchart: http://regulationspolicies.usf.edu/regulation-policy-development-repeal/pdfs/regulation-policy-development-flowchart.pdf

- Link to the Request to Repeal a Regulation Form:

  http://regulationspolicies.usf.edu/regulation-policy-development-repeal/pdfs/request-to-repeal-regulation-form.pdf

- Link to the Request to Repeal a Policy Form:

  http://regulationspolicies.usf.edu/regulation-policy-development-repeal/pdfs/request-to-repeal-policy-form.pdf

Current Responsible Office*: USF System Services

*Refer to the appropriate Responsible Office website for a current name of the Vice President or other Responsible Officer.

History: New 7-1-74, Amended 3-31-16 (technical), 1-23-17 (technical), 5-11-17 (technical).