

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR 1:6	PAGE 1
	DATE EFFECTIVE / /11	SUPERSEDES REGULATION DATED N/A

FORMULATION AND ISSUANCE OF UNIVERSITY REGULATIONS

I. Introduction

The University formally approves, issues, and maintains in a consistent format, official university regulations in a central regulations library. This regulation establishes the policies and procedures for drafting, reviewing, revising, withdrawing, approving, announcing, and archiving official University regulations. Additionally, this Regulation defines the roles and responsibilities of the participants in the regulation development process and establishes the Regulation Review Committee.

University regulations connect the university’s mission to individual conduct, clarify institutional expectations, support compliance with laws and regulation, mitigate institutional risk, and enhance productivity and efficiency in the university’s operations. University regulations are thoroughly reviewed, maintained, and made available to the University community to promote practicality, compliance, and accountability. All regulations shall be promulgated in accord with the standards, format, and procedures set forth in this regulation to achieve consistency, appropriateness, and ease of understanding of, ease of access to, and compliance with university policies.

II. Authority

KRS 164.200 authorizes the Board of Trustees to establish regulations for the government of the University. The *Governing Regulations* are promulgated by the Board of Trustees to establish the broad policies and procedures for the operations of the University and to delegate certain responsibilities to the President, the University Senate, the Staff Senate, the Student Government Association, the Graduate Faculty, and others. The Board of Trustees delegates to the President the authority to promulgate the *Administrative Regulations*, including the *Human Resources Policy and Procedures Administrative Regulation*, and the *Business Procedures Manual of Administrative Policies and Procedures*, except that some Administrative Regulations are promulgated by the Board of Trustees when required by state or federal law, external accrediting agencies, or other similar requirements. Chief administrative officers are authorized to establish unit policies and procedures attendant to their delegated administrative responsibilities. (See Governing Regulation, Part XIII.B and Governing Regulation, Part II)

III. Entities Affected

This regulation applies to all employees, students, and units of the University.

IV. Definitions

A. “University Regulations” or “Regulations” contain the official governing principles, policies and procedures of the University. University-wide regulations are distinguished from procedures and unit-level policies.

1. University-wide regulations:
2. Mandate requirements of or provisions for members of the University community or provide procedures for implementation;
3. Have broad application throughout the University;
4. Enhance the university’s mission, reduce institutional risk, promote operational efficiency or ensure compliance with applicable laws, regulations, or accreditation requirements;
5. Are approved by the Board of Trustees or President, or his/her designee, in accordance with the *Governing Regulations, Part II and Part XIII*; and
6. Are administered by at least one Responsible Official and a Responsible Office.

B. “Interim Regulation” means provisional regulation issued when a University regulation is needed within a time period too short to complete the process described in Section VIII.A.

C. “Unit-Level Policies” are policies, procedures, or guidelines established by an educational or administrative unit that do not meet all characteristics of a University regulation and do not adhere to all of the provisions of the review process set forth in this regulation. Unit-level policies shall be consistent with, and not in conflict with, the *Governing Regulations, Administrative Regulations, Human Resources Policy and Procedures Administrative Regulation, and Business Procedures Manual of Administrative Policies and Procedures*. Unit-level policies may be more detailed or restrictive than University-wide regulations, but shall not be less restrictive. In the event of a conflict between a university-wide regulation and a unit-level policy, the University-wide regulation supersedes the unit-level policy.

D. “Procedures” are detailed statements that provide for orderly implementation of established policies through specific, prescribed actions. Procedures are generally not included in a regulation, unless required by an external agency such as law, additional regulation, accreditation requirement, etc.

E. “Regulations Review Committee” (RRC) is the standing committee appointed by the President to provide oversight for the regulation process.

F. “Responsible Official”/“Responsible Office” is the university employee and unit charged with overseeing the administration of the regulation, including but not limited to developing, implementing and enforcing the regulation. Depending on the scope of its subject matter, a regulation may have more than one responsible official or office.

G. “Stakeholder” means an individual, function, or unit whose university role or professional expertise relates to the subject of the regulation and who, therefore, is consulted for comment on its draft.

V. University Regulation Document Template

A. The University utilizes a standard regulation document template(s) and review process to facilitate consistency, clarity, conciseness, understanding, access and compliance with university regulations. An appropriate template shall be used for all regulations. The *Governing Regulations*, *Administrative Regulations*, *Human Resources Policy and Procedure Administrative Regulations*, and *Business Policies and Procedures*, may each have a unique template.

B. Depending on the subject matter, a regulation may include any or all of the sections described below, but at a minimum the regulation shall include the Regulation Header, Introduction, Application, and Policy sections. Additional sections not described below may also be included as appropriate for each individual regulation. The RRC will assist with determining the appropriate sections for a regulation.

1. *Regulation Information* (required) – contains basic information about the regulation, such as the regulation’s title, Responsible Official(s), Responsible Office(s), latest effective date, and next regular review date.
2. *Introduction* (required) – encapsulates the regulation’s purpose, namely its core provisions or requirements, and why the policy exists. The Introduction typically identifies the institutional risk, university mission or value, or any legal or regulatory requirements the policy addresses.
3. *Authority* – Describes any specific delegation or mandate to the University from a state or federal agency, governing body, or accrediting agency related to the requirements of the regulation.
4. *Entities Affected* (required) – describes the people, units, or other constituencies to which the regulation applies.
5. *Definitions* – includes terms that are important or unique to the regulation.
6. *Policy* (required) – expands on the Introduction section and details the regulation’s substances, namely its core provisions and requirements.

7. *Responsibilities* – describes the people or units affected by the regulation and their responsibilities in implementing the regulation.
8. *Committee* – the Committee section describes the Committee’s role, responsibilities, and composition.
9. *Procedures* – describes the minimum actions required to fulfill the regulations requirements. This section should not include details such as the responsible office’s protocols, nor actions that are optional or only desirable,
10. *Reporting requirements* – describes any required regular reports related to the subject of the regulation and the University official or external agency to which the report must be provided.
11. *Exceptions* – describes when exceptions are allowed, the process by which the exceptions are granted, and the University official who is authorized to grant an exception.
12. *Appendix* – describes any supplemental documents attached to the regulation, such as a flowchart or a required form.
13. *References* (required) – provides citations to any sources of authority for the regulation (e.g. State or Federal Law, the *Governing Regulations*, *Minutes of the Board of Trustees*, an external accreditation agency, etc.)

VI. Regulations Review Committee (RRC)

A. RRC Membership

1. The RRC is appointed by the President and comprised of representatives from the major units within Office of the Provost, each of the Executive Vice Presidential areas, the Office of General Counsel, University Senate, and the Staff Senate. In order to achieve appropriate University-wide representation, the President may also appoint additional faculty and staff employees.
2. The chair shall be designated by the President.
3. The Committee members normally shall have staggered, three-year appointments, and members may be reappointed for consecutive terms.

B. RRC Responsibilities

The RRC serves as an advisory group to the President, the Provost, and the executive vice presidents by making recommendations on new and existing regulations. The RRC’s responsibilities include:

1. Reviewing new and existing regulations for practicality, clarity, and adequacy of the document for the University's operations;
2. Establishing and maintaining the official regulation template(s);
3. Ensuring consistency in the format and presentation of regulations;
4. Working with the Responsible Official, or designee, and the Responsible Office assigned for each regulation;
5. Eliminating conflicts between University regulations to the extent possible;
6. Ensuring consistency with laws or other external requirements, as well as consistency with the University's mission, vision, and values; and
7. Establishing a calendar for regular review of all regulations (regular review is recommended to occur every five (5) years).

The RRC also may, at the request of a responsible official, assist with the formulation of unit-level policies.

VII. Responsibilities

A. Responsible Official

The Provost, or the appropriate executive vice president or vice president, shall assign a Responsible Official and a Responsible Office to all existing regulations within their area of operations and to any proposed new regulations. If no Responsible Official is assigned, the Provost or executive vice president for that area of operations is deemed to be the Responsible Official. The Responsible Official's responsibilities include:

1. Identifying the need for and purpose of a regulation in relation to a responsibility that falls under his/her jurisdiction;
2. Designating a responsible office to develop or administer the regulation;
3. Determining the extent that stakeholder comments on drafts of the regulation should be incorporated;
4. Approving the draft of the regulation to be presented to stakeholders and the university community for review and comment;
5. Approving the final draft of the regulation before it is presented to the Board of Trustees or the President for final approval;

6. Communicating with and training appropriate areas or individuals regarding the regulation's requirements; and
7. Assisting the responsible office in establishing any support systems necessary to achieve ongoing compliance.

B. Responsible Office

The Responsible Office's responsibilities include:

1. Identifying the need for new or revised regulation within that area of operations;
2. Upon request of the Responsible Official, developing new regulations or revisions to existing regulations;
3. Working with the RRC and the Office of Legal Counsel to put regulations through the review cycle;
4. Seeking and considering stakeholder input;
5. Communicating with and training appropriate members of the university community regarding the regulation's requirement; and
6. Establishing and implementing any new support systems or processes needed to achieve University compliance with new or substantially revised regulations;

C. Stakeholders

Upon request of the Responsible Official, Responsible Office, RRC, or Office of Legal Counsel, stakeholders are responsible for commenting on draft new and proposed regulations in relation to the likely impact on members of the University Community.

D. Office of Legal Counsel

The Office of Legal Counsel's responsibilities include:

1. Steering regulations through the drafting, review, and revision processes, and generally guiding the Responsible Officials and Responsible Office through the regulation development process;
2. Providing administrative and legal support for the RRC, and arranging and chairing the RRC meetings;

3. Providing the structure, formatting, expression, and other editorial aspects of regulations to assure clarity and coherence, including controlling the templates and draft documents;
4. Ensuring the appropriate stakeholders are provided an opportunity to comment on the regulation;
5. Seeking final approval by the Board of Trustees or President or designee;
6. Assisting the Office of the President in issuing the university-wide announcement to promulgate or, where appropriate, withdraw a university policy; and
7. Maintaining a central repository of the official University regulation documents, and the University's regulations website.

VIII. Procedures and Approval Processes*

* **Note:** There are some regulations that predate this policy, and so, as yet, have not been through the entire process outlined herein. They remain official university policies and, in time, are expected to complete this process.

A. Administrative Regulations

1. Minor Updates

On an as-needed basis, a responsible official may request that the RRC make routine changes (such as new contact names, position titles, and email or Web addresses) to an existing regulation. Such changes do not require vetting or final approval of the President. The Office of Legal Counsel will record the details and dates of changes.

2. Substantive Revisions and New Regulations

(a) Proposals for new regulations or changes to existing regulations shall be sent to the Provost or appropriate executive vice president or vice president. Once the Provost, executive vice president, or vice president approves the proposal, he or she will appoint a Responsible Official and a Responsible Office for the regulation and forward the regulation to the RRC for review. Additionally, the RRC shall initiate its own review of existing regulations based on its regular regulations review schedule.

(b) The RRC shall review the regulation in accordance with section VI.B. of this regulation.

(c) The Office of Legal Counsel shall seek comments from appropriate stakeholders. The RRC shall return the regulation and any comments to the Responsible Official and Responsible Office for final review. The Responsible Official will determine the extent to which comments and proposed edits will be incorporated.

(d) The Office of Legal Counsel shall seek final approval for the regulation from the Board of Trustees or the President, or designee. Revisions to existing regulations shall be presented showing tracked changes, unless these changes are so substantial as to make this impractical. In this event, the existing regulation shall be shown along with the revised regulation.

(e) The Responsible Official, Responsible Office, new effective date, and date of next review shall be recorded in the Header section of the regulation's header.

(f) The Office of Legal Counsel, in coordination with the Office of Public Relations, is responsible for assisting the Office of the President in announcing new, substantially revised, or withdrawn regulations to the University Community.

(g) The Office of Legal Counsel is responsible for posting the regulation to the Regulations website, and maintaining the official, approved document.

(h) The Responsible Official and Responsible Office are responsible for disseminating and implementing the regulation in the affected areas.

3. Withdrawing a Regulation

A responsible official may deem it appropriate to withdraw an existing regulation or consolidate it with another regulation. In such a case, the responsible official will inform the RRC of this intent and the reason. The Board of Trustees or the President shall approve the action and issue an announcement of the withdrawn or consolidated policy. The responsible official will deliver any additional communication to appropriate stakeholders.

4. Interim Regulations

(a) When a new regulation or substantial revision to a regulation is needed within a time-period that does not allow for complete drafting and review of the policy document as outlined in this regulation, the responsible official may request the RRC review a regulation and seek approval from the President on an interim basis.

(b) Interim regulations are effective for up to six months. Extensions beyond this period may be approved by the President in additional six-month increments.

(c) In order to become a standard University regulation and be included in the regular regulations review cycle, the interim regulation must complete the process outlined in section VIII.A of this regulation, preferably within one year of the issuance of the interim regulation.

5. Posting Regulations

(a) The University maintains the repository of current *Governing Regulations* and *Administrative Regulations* at: www.uky.edu/Regs. Human Resources maintains the current *Human Resources Policy and Procedure Administrative Regulations* at www.uky.edu/HR/policies/. The Executive Vice President for Finance and Administration maintains the current *Business Policies and Procedures* at www.uky.edu/EVPFA/Controller/BPM.htm.

(b) Any unit-level web pages that incorporates or refers to any University-wide regulation shall link directly to the site listed above and shall not post their own versions.

(c) Printed versions of regulations may be included in the student handbook, faculty handbook, staff handbook, announcements and other publications, but shall include a disclaimer that the official University regulations website www.uky.edu/Regs should be consulted for the latest version.

6. Regulation Templates

The Regulation document templates are found at: www.uky.edu/regs/template (add real link).

IX. Appendix

Appendix “A” illustrates the University’s regulation development process.

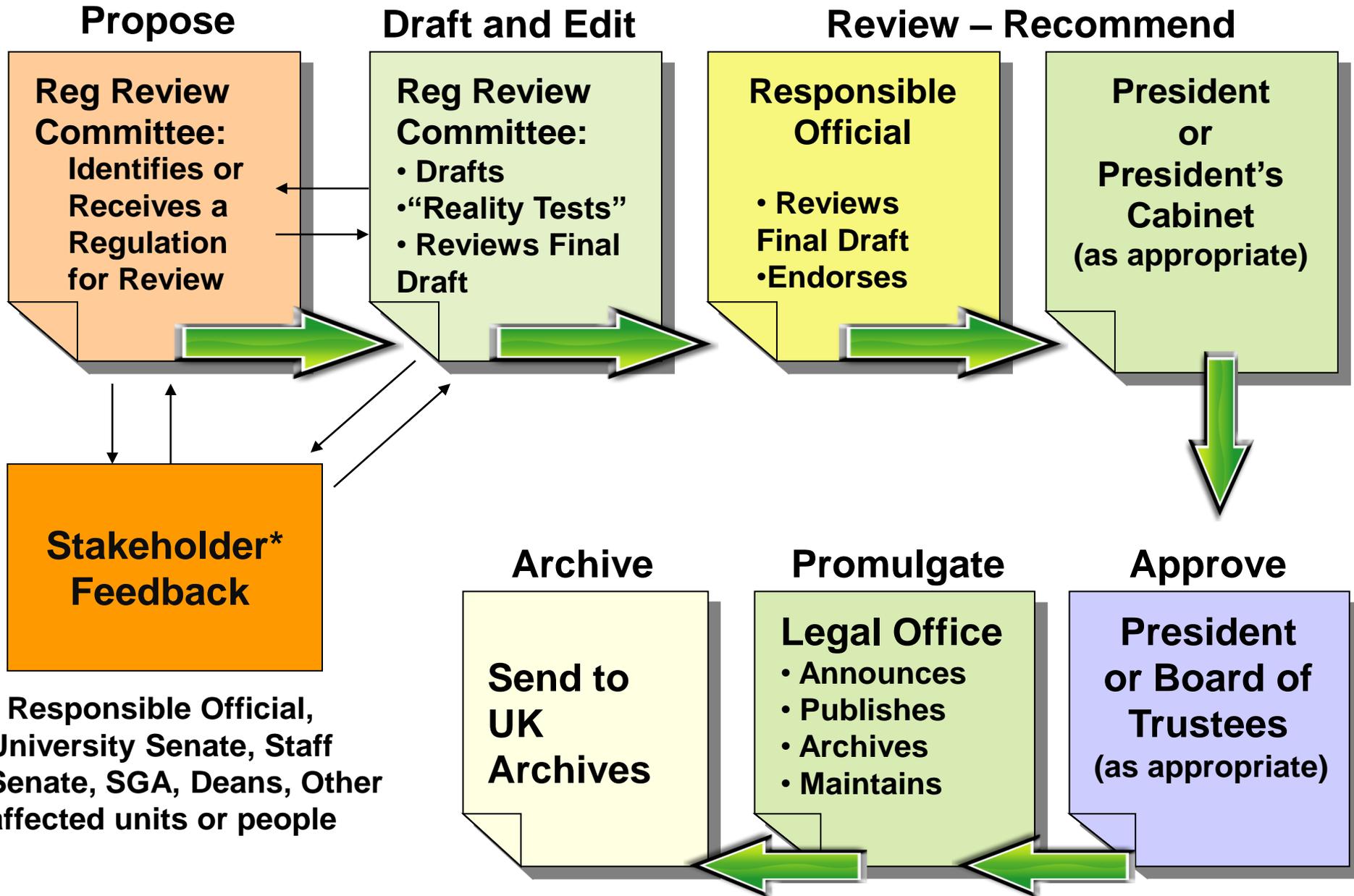
X. References

KRS 164.200

Governing Regulation, Part II

Governing Regulation, Part XIII

UK Regulation Review Process



* Responsible Official, University Senate, Staff Senate, SGA, Deans, Other affected units or people