Policy 1-001: Memorandum

To: President Michael Young, Senior Vice-President David Pershing, Senior Vice President Lorris Betz

From: John Morris-Vice-President--General Counsel; Susan Olson-Associate Vice President for Faculty; Richard Sperry-Associate Vice President Health Sciences; on behalf of the working group for reorganization of University regulations

Subject: Proposed University Policy 1-001 (New Policy on University Regulations), and Overview of ongoing Project of Reorganization of University Regulations and streamlining of system for adopting and revising regulations

Date: February 12, 2008

Introduction

As a significant first step in a long term project of reorganizing University regulations and streamlining the system for adopting and revising regulations, we present this proposal for replacing existing PPM sections 8-20 and 9-10 with new University Policy 1-001. If it meets your approval, we contemplate submitting the proposal for approval by the Academic Senate and Board of Trustees within this semester (but to take effect July 1, 2008). The proposal was developed by an ad hoc working group described below. The proposal has previously been discussed with the Academic Senate Executive Committee (twice), the Board of Trustees, the Council of Academic Deans, and the Academic Leadership Team. Further, members of the project working group, representing many sectors of the campus community, have been regularly consulting with campus constituent groups throughout the many months of developing this proposal.

For some years, University personnel who regularly work with policies and the system for adoption and revision of policies have recognized that the existing system suffers from numerous serious flaws, all contributing to the system being excessively

cumbersome, and University personnel being expected to carry on their work with insufficient clear guidance. The driving objectives for the project now underway to address these problems are to streamline the adoption and revision system, to bring order to a presently chaotic set of policies and informal regulations, and to ensure that governing regulations are presented to members of the campus community in an easily accessible user-friendly form.

The overall project of reorganization and streamlining University regulations was begun in 2006-2007, and is expected to continue at least into the 2009-2010 year. The current proposal for Policy 1-001 lays an important foundation for other components of the overall project.

Background-Flaws in the Existing Systems for Adopting, Revising, and Publishing Policies

The existing structure for publishing of policies was developed before the advent of the World Wide Web, and is poorly suited for use with new Web-based technologies. The existing contents of University policies are contained in a document commonly referred to in recent years as the Policies and Procedures Manual. Through most of the University's history, the policies were published only in hard copy. In recent years, they have been published through the University's website, in digital form, and for the past few years that has been the sole means of publication. At some point in history, many of the policies were organized with two separate parallel numbering systems, which currently is a source of much confusion for users. An example, described in earlier discussions with the Senate Executive Committee, is the current Policy establishing the Senate Executive Committee. That Policy is currently listed in PPM both with the older numbering---Faculty Regulations Chapter 3 Section 4, and the newer numbering-PPM 9-3-4.

One objective of the working group is to develop a more sensible and intuitive method of organizing policies, with a single uniform system of numbering. We have substantially completed the selection of a new uniform numbering format and a plan for taking all existing policies from the PPM and reorganizing them into the new numbering system.

We contemplate bringing forward a proposal for that reorganization within a few months after Policy 1-001 is approved.

Once that reorganization is accomplished, it will be appropriate to begin using a new web-based system for making regulations accessible to University personnel. As part of the ongoing project, the working group is working closely with web-developers to plan a web-based presentation system that will be highly user-friendly. Our recent discussion with the Council of Academic Deans revealed a strong interest in having that new presentation system put to use as soon as possible, and we will proceed accordingly.

Another concern is that the current system does a very poor job of allowing users to trace the history of changes made to a particular Policy. Some policies have undergone numerous revisions, and in some instances (particularly when there may be litigation), it is important to be able to determine precisely what version of a Policy was in effect during a particular period of time. The new website format being planned will include a feature allowing readers to see both current and past versions of each Policy, and easily trace the history of changes made.

There will also be other user-friendly features integrated in the new Website for policies, such as links leading to the appropriate contact persons to whom users can direct practical questions. With these features, the new policies website should serve well as a site for 'one-stop shopping' for University community members seeking guidance on how to conduct University activities.

Another and more significant problem is that the existing PPM sections often contain either too little, or too much detailed information. In many instances, the published official policies do not provide members of the University community with enough guidance on how to conduct University activities. There is a need for additional guidance. Sometimes administrators have compensated for this lack of official guidance within the policies by independently developing 'practices' that are either never written down, or are written only in memoranda that are distributed once but thereafter are not as widely available as would be desirable. In other instances, the official policies themselves are packed with excessive details, which then tend to become out of date

as various contextual factors change over time. Another closely related problem is that the process for amending official policies is very cumbersome--- all policies must be approved by the Board of Trustees, and some (those directly affecting academic matters) must be approved by the Senate. It is not unusual for a proposal of a single amendment to PPM to require a year or more for completion of all stages, consuming many valuable hours. Given that degree of difficulty, it is not surprising that many flaws within PPM have been left uncured.

The working group's proposed solution for this problem of under- or over-inclusiveness of details, and the related problem of the difficulties of making needed changes in a timely fashion, is to reorganize the contents of University policies into a set of different categories of regulations with different but related functions, and to restructure the system so that different processes are followed for adoption and revision of each category of regulations. As described further below, proposed new Policy 1-001 will establish the foundation and put in place the institutional framework to accomplish those changes.

Highlights of New Policy 1-001:

Policies, Rules, Procedures, Guidelines. Under Policy 1-001, regulations that are currently treated as policies, Procedures, and practices (sometimes written and published, sometimes not) will over time be reorganized into Policies, Rules, Procedures, and Guidelines. For a given area of University activities, the basic principles and most important requirements will be stated in the official Policy. More mundane details, which are important to users and need to be clearly written and published, but might need to be changed occasionally and without lengthy delay, will be published in the form of Rules, or Procedures associated with that particular Policy, or in the least formal category of Guidelines. Such related materials accompanying each section of Policy will be published on the newly developed website along with the Policy.

New Policy 1-001 will also recognize the existence of various Supplemental Rules and Procedures, which apply only within a defined administrative subdivision of the University, such as a single academic department.

Procedures for adopting/revising regulations, streamlined for efficiency, but retaining assurance of careful deliberation. Policy 1-001 has been carefully crafted, through several months of intense discussion among representatives of constituent groups (including two earlier meetings with the Senate Executive Committee), to balance concerns of efficiency and concerns of inclusion of appropriate constituencies. Within the new framework, each Policy will continue to be adopted or revised only after careful deliberation, with formal approval by the Trustees, and an appropriate degree of involvement of the Academic Senate. The related subordinate regulations (Rules, Procedures, Guidelines) will be adopted and revised through more streamlined processes-not requiring taking the valuable time of the Board of Trustees (and depending on the context, often not requiring the valuable time of the Senate). Thus the subordinate regulations can include much useful information not suitable for the official Policy, and can easily and quickly be modified to adapt to changing conditions. Of those materials, compliance with the Rules and Procedures will be considered mandatory, while the Guidelines will be considered merely advisory.

Institutional Policy Committee replacing existing committee and ad hoc groups. Finally, the new Policy contemplates establishment of an Institutional Policy Committee to help manage the development and revision of policies. The IPC will take the place of the former Administrative Policy Advisory Committee, and will absorb work that has in the past been performed by various other ad hoc groups, most notably the working group that has developed this proposal. The IPC will have primary responsibility for ensuring that input from concerned constituent groups across the campus is received during the development of any proposed changes of regulations, and for maintaining the web-based 'library' through which regulations are made accessible to users. Policy 1-001 only broadly defines and charges the IPC, and the details of its membership and responsibilities will be elaborated in a new Rule to accompany the Policy.

What New Policy 1-001 Does Not Do

Note carefully that the current proposal does not include any change of any existing substantive Policy or other type of regulation. This proposal sets up a framework to be

used for making future revisions of Policies and other Regulations, but new Policy 1-001 would not in itself involve any changes of any existing substantive regulation of any type. Existing policies will continue in force, and 'practices' currently being used may continue to be used, until affirmative steps are taken to implement changes. Later, as the overall reorganization project moves forward, there will be proposals for changing specific substantive Policies, including entirely eliminating some archaic Policies, moving contents from Policy into Rules or Procedures, or merely updating antiquated contents. Each such change will be proposed only after careful consultation with interested constituent groups within the University community, and each such change of any existing Policy will be submitted for formal approval by both the Academic Senate and the Board of Trustees.

Subsequent Phases of the Overall Project, and Their timing

The approval of Policy 1-001 is one of three components of the overall project that the working group views as important to implement in the very near future. The second will be promulgation of Rule 1-001 to set forth further details about the establishment and operations of the IPC. The third will be the renumbering of existing policies from the present chaotic numbering system to a more rational and accessible system. The working group has completed much of the preparatory work needed for proposals regarding those two remaining components, and it is expected that they will be completed in time such that, if the proposals are approved, they can be implemented in time to coincide with the proposed effective date for Policy 1-001, which is July 1, 2008.

Once the three foundational components of the project are completed, then in the following year the IPC, and the various persons who work closely with given parts of existing regulations, can begin to examine existing Policies and determine whether and how each should be streamlined and otherwise revised to fit into the new system. This work should proceed Policy-by-Policy, at a pace appropriate to allow deliberate consideration by all concerned persons.

It is the view of the working group that the first Policies chosen to be examined and possibly revised as part of this project should be those which are least likely to be

considered controversial or otherwise present difficulty. This will enable the IPC and concerned parties to make relatively rapid progress, and allow participants to become comfortable with the revision Procedures, before eventually moving on to Policies of a more challenging nature. In general, this means that the types of existing Policies which "directly or significantly affect the University's academic missions" will likely not be targeted as part of this project for review and revision in the near future.

Meanwhile, as the IPC is carrying on the lengthy project of scrutinizing existing Policies for possible revision, the various officers and committees of the University may proceed, at their own deliberate pace, to begin promulgating formal Rules, as well as Procedures and Guidelines, associated with particular Policies, to carry on the important work of the University.

About the Working Group

The members of our working group have included: John Morris-Vice President and General Counsel; Bob Flores, Professor of Law, Special Assistant for Faculty Policy-V.P. for Academic Affairs, and past-president of the Academic Senate; Jeffrey West-Associate V.P. for Financial and Business Services-Administrative Services; Phil Johnson-Associate V.P. Human Resources; Mike Perez-Associate V.P. Facilities-Administrative Services; Ken Nye-Business Services Director-Administrative Services; Larry Dew-Assistant V.P. for Health Sciences Finance; Ed Barbanell---Associate Dean for Undergraduate Studies-Sr. Assoc. V.P. for Academic Affairs; Kevin Taylor---Director---Office of Information Technology; Susan Olson-Associate V.P. for Faculty-Academic Affairs; Laura Snow---Special Assistant to the President and Secretary to the University; Rebecca Riley-Executive Assistant-Board of Trustees-Office of the President; and as the World-Wide-Web technology consultant Virlene Norton- Manager, Web Projects--Office of IT Media Solutions.