



Policy Chapter: Chapter 2 Rule and Policy Development

Policy Number and Title: 02.001 Policy Development and Definitions

I. Policy Statement

This purpose of this policy is to provide guidance in how policies are developed and maintained, and to consistently define terms used throughout all policies of the University of North Texas. The University's policies shall reflect the its academic mission and vision and comply with federal law, state law, Regents Rules, and System Regulations. Procedures developed to implement these policies shall be clear and efficient. Policies and procedures may be revised or deleted at any time, at the sole discretion of the University.

II. Application of Policy

All UNT Employees

III. Policy Definitions

A. Board of Regents

“Board of Regents” or “Board,” in every policy of UNT, unless otherwise specified, means the Board of Regents of the University of North Texas System.

B. Employee

“Employee,” in every policy of UNT, unless otherwise specified, means an individual who is employed full-time, part-time, in a temporary status, or who is required to be a student as a condition of employment.

C. Faculty

“Faculty,” in every policy of UNT, unless otherwise specified, means employees having academic rank.

D. Non-substantive Change

“Non-substantive change,” in this policy, means a revision that does not materially alter the substance of the policy, or in any way modify its meaning or intent. Non-substantive changes include, but are not limited to, edits related to document formatting, grammar, punctuation and style. Non-substantive changes do not require routing and are made as needed by the University Policy Office (UPO).

E. Policy

“Policy,” in every policy of UNT, unless otherwise specified, means any governing principle that mandates or sets limits within which UNT staff, students, faculty, and other individuals interacting with UNT are expected to operate; has broad application; derives from the authority of Regents Rules or ensures compliance with applicable laws and regulations; supports UNT’s mission and goals; promotes consistency, efficiency, and effectiveness; and/or reduces institutional risk.

F. Policy Action

“Policy action,” in this policy, means the development, deletion, review, or substantive revision of a policy.

G. Policy Owner

“Policy owner,” in every policy of UNT, unless otherwise specified, means the UNT administrator (president or vice president-level) primarily responsible for the subject matter of the policy.

H. Policy Contact

“Policy contact,” in every policy of UNT, unless otherwise specified, means the individual designated by the policy owner as the primary subject matter expert and/or administrative point of contact for a policy.

I. Policy Manual

“Policy manual,” in every policy of UNT, unless otherwise specified, means the official repository of all UNT policies adopted by the President. The policies published on the dedicated [University Policy Office web site](#) are the official policies of UNT and supersede any version appearing elsewhere.

J. Procedures

“Procedures,” in every policy of UNT, unless otherwise specified, means the operational processes that outline how the institution will implement the policy. Procedure documents may include, but are not limited to: guidelines, handbooks, bylaws, charters, and constitutions.

K. Regents Rules

“Regents Rules,” in every policy of UNT, unless otherwise specified, means the Rules adopted by the Board of Regents of the University of North Texas System.

L. Staff

“Staff,” in every policy of UNT, unless otherwise specified, means employees whose primary responsibilities do not include teaching academic courses.

M. Substantive Change

“Substantive change,” in this policy, means a revision to a policy that materially alters its meaning or intent. Substantive changes include, but are not limited to, addition or deletion of a definition, change in a responsible party, change in application of the policy, or revisions made to reflect current operational practices or changes in the law, Regents Rule, or System Regulation.

N. System Administration

“System Administration,” in every policy of UNT, unless otherwise specified, means the Office of the Chancellor, the Vice Chancellors, and such employees as the Chancellor may require to accomplish the duties and responsibilities assigned to the System Administration by the Board.

O. System Regulation

“System Regulation,” in every policy of UNT, unless otherwise specified, means a policy adopted by the Chancellor of the UNT System that applies to the System Administration and University Institutions.

P. Unit Administrator

“Unit Administrator,” in every policy of UNT, unless otherwise specified, means an individual with unit supervisory responsibilities. Unit administrators include, but are not limited to, directors, chairs, associate deans, and deans.

Q. University Business

“University Business,” in every policy of UNT, unless otherwise specified, means the accomplishment of governmental functions entrusted directly to the University, including the reasonably necessary use of authority, property, services, personnel, funds, or any other thing in the custody or possession of the University, by virtue of its governmental functions, to accomplish its governmental functions.

R. University Engagement

“University Engagement,” in every policy of UNT, unless otherwise specified, means an activity, event, or program sponsored by an academic or administrative unit of the University; or an activity, event, or program on campus, sponsored by a student or employee organization.

S. University Institutions

“University Institutions” or “UNT Institutions,” in every policy of UNT, unless otherwise specified, means UNT, UNT Dallas, UNT Health & Science Center, and/or any other university or campus that may be added to the University of North Texas System.

T. University of North Texas

“University of North Texas,” “UNT,” or “University,” in every policy of UNT, unless otherwise specified, means the University of North Texas, its multiple campuses, its official business, its property, and its personnel.

U. University of North Texas System

“University of North Texas System,” “System,” or “UNTS,” in every policy of UNT, unless otherwise specified, means the System Administration of the University of North Texas and University Institutions.

IV. Policy Responsibilities

A. General

The policies adopted by the UNT President apply only to the University and shall be published in the Policy Manual and maintained electronically on a dedicated policy website.

1. Contract Disclaimer

No provision in any University policy shall create a contract, expressed or implied, with any individual or organization (Regents Rule 02.204).

2. Legal Review

All University policies considered for adoption must be reviewed and approved for legal sufficiency by the UNT System Office of General Counsel (OGC) prior to adoption (Regents Rule 02.206).

3. Conflicts

If a University policy conflicts with a Regents Rule or System Regulation, the Rule or Regulation takes precedence. If a provision of a policy conflicts with a federal law, state law, Regents Rule, or System Regulation, the invalid provision shall be construed in a manner that gives force and effect to all other provisions in the policy, to the extent possible. If any invalid provision cannot be construed to render it valid, that provision shall be construed as narrowly as possible and severed from the policy, if necessary, to give force and effect to the policy (Regents Rule 02.207).

4. Charters and Bylaws

Charters and bylaws for the internal governance of departments, colleges, and University organizations, except for those adopted and published by the Faculty Senate, are not University policies. In accordance with Regents Rule 06.104 (Operational Bylaws), bylaws adopted and published by the Faculty Senate shall take effect when approved by the President.

5. Policy Adoption

Policies are adopted when signed by the President.

6. Policy Effective Date

A policy takes effect the date it is approved by the President, unless a different date is stated in the policy.

7. Policy Exception

Exception to a University policy may only be granted at the recommendation of the Policy Owner, approval from the President, and subject to compliance with state or federal law, Regents Rule, and System Regulation.

8. Policy Review

Policy owners and contacts must review policies that fall under their jurisdiction a minimum of once every six (6) years unless otherwise required by federal law, state law, Regents Rule, or System Regulation. A non-substantive change made to a policy does not constitute a policy review.

9. Procedures in Policies

Procedures that are necessary to provide a right protected by law or that is mandated by Regents Rule or System Regulation are required to be included in a policy. Procedures that may be necessary for policy enforcement purposes may also be included. Nonetheless, policies should contain as little procedure as is reasonably possible for economy and clarity.

10. Other Procedures

Units may develop administrative procedures to manage the specific operations of the unit. Unit administrators must ensure procedures that are consistent with federal law, state law, Regents Rule, System Regulation, and University policies. Procedures are null and void to the extent of any conflict. Unit administrators may request that the UPO publishes a procedure on the policy web site where the associated policy is published. Procedures that are not included in a policy do not have to be reviewed by OGC for legal sufficiency or approved by the President, and are not subject to the policy approval process.

B. Policy Development, Revision, Deletion, and Review

1. Policy Owners

- a. Policy owners must develop, revise, and review policies as required by federal law, state law, Regents Rules, and System Regulations, and as needed by institutional initiatives or operational changes. For these actions, policy owners must ensure the policy:
 - i. is consistent with and not duplicative of other campus policies;
 - ii. is consistent with the Regents Rules and System Regulations;
 - iii. satisfies accrediting bodies and external industry/professional association requirements, as applicable;
 - iv. is sufficiently clear so that substantive questions concerning execution of or compliance with the policy can be answered;
 - v. provides the guidance necessary to prescribe procedures which achieve the policy objective(s); and
 - vi. clearly explains any values or objectives required by the policy and the decision-making process required by the policy.

- b. Policy owners may also propose a policy deletion. When considering a policy for deletion, policy owners must ensure: (i) the policy is not required by federal law, state law, Regents Rule, or System Regulation; and (ii) any necessary content is adequately addressed in another policy or related procedure.
- c. Policy owners initiating an action within Academic Affairs must ensure the Faculty Senate has an opportunity to review the proposed policy action prior to submission to the UPO for official routing.

2. Policy Advisory Group (PAG)

PAG is comprised of University officials appointed by the President. PAG is responsible for reviewing and discussing policies to ensure they are consistent with the University's mission and strategic plans before the policies are submitted to the President for approval. Unless otherwise exempt by the President, PAG must review submissions for new policies, substantive revisions, deletions, and policies due for a 6-year review. A policy action must be approved by a majority of the PAG members before it moves to the next step in the policy process.

3. Office of General Counsel (OGC)

- a. The OGC is responsible for reviewing all new policies and substantive changes to policies to determine consistency with applicable law, identify and address legal risks, and improve legal defensibility. This legal sufficiency review consists of:
 - i. analyzing the policy (and any procedures contained therein) to determine compliance with federal and state constitutional and statutory laws, regulations, attorney general opinions, executive orders, Regents Rules, and System Regulations;
 - ii. identifying potential legal risks that might arise from the use of a particular word, term, or phrase, from the way the policy is structured, or from any procedures contained in or missing from the policy; and
 - iii. recommending changes that address noted legal deficiencies.
- b. OGC will inform the UPO if a policy or a provision of a policy is determined to be legally insufficient and recommend language that brings the policy into compliance with laws, Regents Rules, or System Regulations.
- c. Only policies approved by OGC are eligible for adoption by the President.

C. Policy Administration and Management Program

- 1. The UPO is responsible for the administration and management of the University's policy program and is the official repository for all University policies. The UPO shall route proposed policy actions for approval in accordance with this policy and the process outlined in the [Policy Processes](#) web page on the University Policy Office web site. In addition, the UPO is responsible for:

- a. coordinating the development, revision, deletion, review, and approval of all University policies;
- b. serving as a policy resource for PAG, including providing historical information related to policies under PAG consideration;
- c. publishing approved policies in the policy manual;
- d. maintaining the official copy of all adopted policies; and
- e. archiving appropriate documents in accordance with records and retention requirements.

D. Guidelines for Interpreting Policies and Procedures

1. The following guidelines shall be used when interpreting all University policies and procedures. These guidelines are not binding on OGC when providing official legal opinions.

a. Headings

The heading of a title, subtitle, chapter, subchapter, or section does not limit or expand the meaning of a policy.

b. Meanings of Words

Words shall be given their ordinary meaning. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words in the present tense include the future tense.

c. Grammar and Punctuation

A grammatical error does not vitiate a policy. If the sentence or clause is meaningless because of the grammatical error, words and clauses may be transposed to give the policy meaning.

d. May, Must, Shall, etc.

The following meanings apply unless the context in which the word or phrase appears necessarily requires a different interpretation/meaning or unless a different meaning is expressly provided:

- i. "May" and "should" create discretionary authority or grant permission or a power.
- ii. "Shall," "will," and "required" impose a duty.
- iii. "Must" imposes a duty and may recognize a condition precedent.
- iv. "Is entitled to" creates or recognizes a right.
- v. "May not," "shall not," "will not," and "cannot" impose a prohibition.

- vi. "Is not entitled to" negates a right.
- vii. "Is not required to" negates a duty or condition precedent.
- viii. "Includes" and "including" are terms of enlargement and not of limitation or exclusive enumeration, and use of the terms does not create a presumption that components not expressed are excluded.

e. Severability

If any provision of a UNT policy, or its application to any person or circumstance becomes legally invalid or unenforceable, the validity, legality, and enforceability of the remaining provisions of the policy will not in any way be affected or impaired thereby and shall remain valid and enforceable to the fullest extent permitted by law.

f. Computation of Time

In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday. Unless otherwise specified in the policy, "day" means business day.

V. Resources/Forms/Tools

- [UNT System OGC Legal Sufficiency Review Guide](#)
- UNT System Policy Style Manual
- [University Policy Office](#)

VI. References and Cross-References

- [Regents Rule 02.200, System, System Administration, and Institution Policy Development](#)
- [Regents Rule 06.100, Shared Governance](#)

VII. Revision History

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