Procedure to Develop, Amend, Repeal and Approve University Policies

SIMON FRASER UNIVERSITY

Policies and Procedures

Date: March 19, 2020
Number: B 10.00 - Procedures

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Policy Authority: University Secretary

Parent Policy: B 10.00 Policy on University Policies and Procedures

1.0 PURPOSE

1.1 The purpose of this procedure is to describe the steps by which University Policies and Procedures are developed, reviewed, amended, repealed and approved. These steps are guided by the University’s governance requirements.

2.0 DEFINITIONS

2.1 Board means the Board of Governors of Simon Fraser University.

2.2 Editorial Amendment means a housekeeping or minor amendment to a University Policy; it does not require Board approval and includes but is not limited to formatting changes, language changes to improve clarity without changing the meaning, name changes, removing references to defunct policies and updating references to organizational structures, programs, or positions.

2.3 Mandated Periodic Review means the date by which a University Policy approved by the Board must undergo substantive review to determine whether any changes are needed. Where this date is not specified within the policy, it is the date established by the University Secretary.

2.4 Policy Authority means the President and Vice Chancellor, a Vice President, the University Secretary or the General Counsel who sponsors a policy that falls under their jurisdiction.

2.5 Policy Gazette means Simon Fraser University’s website that serves as the repository for University Policies and Procedures and is maintained by the Office of the University Secretary.
2.6 **Responsible Authority** means the head of an academic or administrative unit responsible and accountable for the development, implementation, maintenance, and review of a University Policy.

2.7 **Substantive Amendment** means a significant amendment to a University Policy and includes: any change to the role or responsibilities assigned to an office, a unit, or a position; any change to the actions that are permitted or prohibited; any change to the rights or responsibilities of an individual; and any change to the Policy Authority. This type of amendment requires Board approval.

2.8 **University Policy** means, for the purposes of this policy and its associated procedures, an official document on a subject matter within the Board’s jurisdiction that establishes key requirements and responsibilities and guides or directs the actions of members of the University Community regarding a particular matter but does not include policies whose subject matter is within the authority delegated by the Board to its Human Resources Committee pursuant to that Committee’s terms of reference. For further clarity, this policy and its associated procedures do not apply to policies whose subject matter is within the exclusive jurisdiction of the University’s Senate.

2.9 **University Procedure** means an official document approved by the Policy Authority that prescribes the method by which a University Policy will be carried out and given effect.

3.0 **PROCEDURE TO PROPOSE NEW UNIVERSITY POLICIES AND TO AMEND UNIVERSITY POLICIES THAT REQUIRE SUBSTANTIVE AMENDMENTS**

3.1 **Identify Need and Initiate Process**

3.1.1 The Responsible Authority identifies the need for a new or amended University Policy.

3.1.2 The Responsible Authority prepares a briefing memo to the Policy Authority, with a copy to the University Secretary and the General Counsel, that identifies, explains or comments on:

   a. why a new policy is needed or why an existing policy requires amendment;
   b. existing Senate or Board approved policies and collective agreements that may apply to, overlap with, or impact upon the policy matter identified;
   c. whether one or more existing policies will be superseded by the new policy;
   d. the legal and regulatory framework that may inform the policy;
   e. the benefits and risks of introducing a new policy or amending an existing one and the implications of not doing so;
   f. how the policy advances the University’s core principles (including commitments to reconciliation and to equity, diversity and inclusion), and any inconsistencies with those principles, and the measures designed to eliminate or reduce any identified inconsistencies;
   g. the probable financial implications;
   h. whether the new or amended policy must go to Senate, or to a Senate Committee, and whether it must do so for information or for approval;
   i. key stakeholders (including the Office for Aboriginal Peoples and the Equity, Diversity, and Inclusivity Administrative Group);
   j. the consultation plan;
   k. the communications plan; and
1. the plan for training.

3.1.3 The Policy Authority considers the briefing memo and, after consulting with the University Secretary and the General Counsel, directs the Responsible Authority whether to proceed with the proposed new or amended policy.

3.1.4 If the Policy Authority directs the Responsible Authority to proceed, the Responsible Authority prepares the proposed new or amended draft policy and provides it to the Policy Authority, the University Secretary, and the General Counsel for review, with the draft procedures or a summary of those procedures.

3.1.5 The Policy Authority tables the briefing memo and the draft policy for discussion at a meeting of the University Executive. The procedures, or a summary of the procedures, should be available for information.

3.1.6 See Appendix A for detailed step-by-step instructions and considerations.

3.2 Community Consultation

3.2.1 After University Executive approval, the Responsible Authority is responsible for consulting with the community about the draft policy and procedures and for determining the scope and timing of the consultation.

3.2.2 In all cases the Responsible Authority must submit the draft policy, and the procedures or a summary of those procedures, with a consultation message to the Office of the University Secretary to post on the Policy Gazette website for community input.

3.2.3 The Responsible Authority decides in the circumstances of each case and informs the University Secretary whether consultation with key stakeholders and the university community will proceed concurrently or in sequential order.

3.2.4 The Responsible Authority undertakes the consultation with key stakeholders.

3.2.5 The Office of the University Secretary posts the proposed new or amended policy on the Policy Gazette website under Draft Policies and sends the consultation message to the University community on behalf of the Policy Authority, inviting input.

3.2.6 The Responsible Authority compiles and considers the input received and prepares a post-consultation briefing memo for the Policy Authority summarizing the input received and recommending changes to the draft policy arising from the input. If the recommended changes to the draft policy are significant, the Policy Authority may require the Responsible Authority to engage in further consultation about the revised draft policy before the revised draft policy goes forward to the University Executive for approval.

3.2.7 The Responsible Authority provides the post-consultation briefing memo to the Policy Authority, the University Secretary and the General Counsel, accompanied by a revised draft of the new or amended policy and a separate copy of that revised draft policy tracking any proposed changes.

3.2.8 See Appendix A for detailed step-by-step instructions and considerations.
3.3 Approval and Dissemination

3.3.1 Following the community consultation and review by General Counsel, the Policy Authority approves the draft policy and tables it for discussion and approval at a meeting of the University Executive. The procedures, or a summary of the procedures, should be available for information.

3.3.2 After University Executive approval, the Responsible Authority prepares the Board submission requesting Board approval of the new or amended policy.

3.3.3 The Responsible Authority obtains the necessary approvals and signatures to add the draft policy to the Board agenda, with the exception of the President’s signature which will be obtained by the Board Office.

3.3.4 The Board considers the proposed new or amended policy and decides whether to approve it.

3.3.5 After formal approval by the Board, the Board Office notifies the Policy Authority, Responsible Authority, University Secretary, and General Counsel.

3.3.6 The Responsible Authority provides the community announcement to the Office of the University Secretary.

3.3.7 The University Secretary assigns the new or revised policy a Policy or Revision Number. The Office of the University Secretary documents and maintains a tracking record of the policy history, posts the approved new or amended policy on the Policy Gazette website, and sends an announcement to the University community and key stakeholders informing them of the approved new or amended policy.

4.0 PROCEDURE TO MAKE EDITORIAL AMENDMENTS TO EXISTING POLICIES

4.1 Identify Need and Initiate Process

4.1.1 The Responsible Authority or the University Secretary identifies the need for editorial amendments to an existing University Policy.

4.1.2 The Responsible Authority submits a request and explanation to the University Secretary about proposed editorial amendments to a University Policy accompanied by a revised version of the University Policy showing tracked changes.

4.2 Approval and Dissemination

4.2.1 The University Secretary, after consulting with the Responsible Authority, approves the editorial amendments to the policy.

4.2.2 The Office of the University Secretary documents and maintains a tracking record of the policy history.
4.2.3 The Office of the University Secretary updates the policy on the Policy Gazette website and sends an announcement to the University community and, when necessary, to key stakeholders, informing them of the editorial amendments.

5.0 PROCEDURE TO REPEAL A UNIVERSITY POLICY

5.1 Identify Need and Initiate Process

5.1.1 The Responsible Authority identifies a University Policy to be repealed.

5.1.2 The Responsible Authority consults with the University Secretary about the proposed repeal.

5.1.3 If the University Secretary agrees with the proposed repeal, the Responsible Authority prepares a briefing memo to the Policy Authority explaining why the policy is superseded or obsolete and should be repealed.

5.1.4 The Policy Authority tables the briefing memo for discussion at a meeting of the University Executive.

5.1.5 If a new policy replaces an existing policy, or makes an existing policy redundant, the repeal of the existing policy may be combined with the process for approving the new policy.

5.2 Approval and Dissemination

5.2.1 After University Executive approval, the Policy Authority prepares the Board submission requesting Board approval to repeal the policy. The Board submission must be provided to the Board Office and must include a background memo, Board cover sheet and include a copy of the policy.

5.2.2 The Responsible Authority obtains the necessary approvals and signatures to add the policy to be repealed to the Board agenda, with the exception of the President’s signature which will be obtained by the Board Office.

5.2.3 The Board considers the request and decides whether to approve repeal of the policy.

5.2.4 After formal approval by the Board, the Board Office notifies the Policy Authority, Responsible Authority, University Secretary, and General Counsel.

5.2.5 The Office of the University Secretary documents and maintains the tracking record of the policy history, removes the policy from the Policy Gazette website, and sends an announcement to the University community and key stakeholders informing them of the repeal.
6.0 PROCEDURE FOR MANDATED REVIEW

6.1 The Policy Authority must keep University Policies and associated Procedures current by requiring the Responsible Authority to review them on the Mandated Review Date specified within the policy or as established by the University Secretary.

6.2 Within 60 days of the Mandated Review Date the Responsible Authority must provide a briefing memo to the Policy Authority, with a copy to the University Secretary and the General Counsel, that confirms the University Policy and associated Procedures have undergone substantive review and:

   6.2.1 no amendments are required; or

   6.2.2 amendments are likely required, and the Responsible Authority will initiate the relevant procedure; or

   6.2.3 the University Policy is recommended for repeal and the Responsible Authority will initiate the relevant procedure.

6.3 If no amendments are required as a result of the mandated periodic review, the University Secretary will establish the new mandated periodic review date for the policy and update the Policy Gazette.

7.0 RELATED LEGAL AND POLICY AUTHORITIES

7.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

   a. University Act, R.S.B.C. 1996, c. 468

   b. GP 30 Interpretation Policy

   b. B 10.00 Policy on University Policies and Procedures

   c. Appendix A: Instructions to Initiate, Consult, Approve and Announce University Policies

   d. Summary of Steps in the Process to Develop, Amend, and Repeal University Policies

8.0 FORMS AND TEMPLATES

8.1 The forms and templates that must be used for University Policy and Procedures are:

   8.1.1 SFU Policy Template

   8.1.2 SFU Procedure Template