

## Board Rule 108

### **108. System Office and University Policies**

- A. Delegation of Policy-Making Authority. Consistent with Board Bylaws, and for the information, guidance, and convenience of the faculty, staff, students, and other members of our community, the Chancellor and Presidents of each campus may compile, publish, and distribute policies, handbooks, manuals, and other guides to their organizations and operations (collectively, “policies”). They may also designate appropriate persons to develop policies related to particular divisions, schools, or administrative components. Such policies should comply with this Rule.
  
- B. Consultation with Affected Constituencies. In the development and formulation of policies, appropriate constituencies should be consulted for input; provided, however, such input does not constitute a veto or interference with administrative rights and responsibilities.
  
- C. Transparency. The System Office and each campus will host websites or other electronic collections to publicize policies.
  
- D. Superseding Board Rules or Chancellor Requirements. All policies are subject to superseding laws, regulations, Bylaws, Rules, minutes, and other pronouncements of The Board of Trustees and Chancellor of The University of Alabama System. As such, policy websites and other collections of policies will include a notice to the following effect:  

*“Although the policies contained herein are intended to reflect current rules and policies of the University, users are cautioned that changes or additions may have become effective since the publication of this material. In the event of a conflict, current statements of Board policy contained in the Bylaws, Rules, official minutes, and other pronouncements of the Board or Chancellor, or superseding law, shall prevail.”*
  
- E. Consistency Among Policies. The Board of Trustees recognizes that campus policies may differ to reflect appropriate and legitimate differences in role and mission. However, each campus and the System Office should seek consistency to the extent practicable, consider the policies of its sister institutions during policy development, and shall work with the Office of Counsel in furtherance of this goals.
  
- F. Procedural Requirements Related to Campus Policies. Except when expediency is required (e.g., because of a legal mandate or emergency), campus policies should only be adopted and published after following these general procedures:

1. The President or his/her designee<sup>1</sup> (“Campus Designee”), in consultation with the Office of Counsel, shall consider:
  - a. Whether the proposed policy is consistent with Board Bylaws, Board Rules and pronouncements, or Chancellor Rules and pronouncements; and
  - b. Whether the proposed policy is consistent with the policies of other System campuses.
2. The Chancellor will appoint one or more points of contact for the Campus Designee to discuss any questions related to Board compliance and/or System consistency (“Chancellor’s Designee”). In addition, the Office of Counsel shall serve as advisors.
3. The Campus Designee will consult with the Chancellor’s Designee and Office of Counsel regarding the goals and purposes of this Board Rule, and the goals and purpose of the proposed policies. Policies must be consistent with the will of the Board as expressed in these and other Board Bylaws, Rules, and pronouncements, and should seek to promote fairness, equitable treatment, safety, security, and other Board goals.
4. Before final adoption, the Campus Designee must give specific assurance to the Chancellor’s Designee that the proposal is not inconsistent with Board pronouncements. The Chancellor’s Designee and Office of Counsel will review the proposed policy to confirm same, and the policy will not take effect until such confirmation is received.
5. Policy adoption will be according to campus requirements and procedures, provided the provisions of this Rule are satisfied.
6. Upon final adoption, the policy will be publicized in accordance with paragraph C of this Rule.
7. Campuses and the System Office should adopt practices for reviewing policies on a routine basis to ensure that the same are up-to-date. In addition, at all times, the Chancellor and Presidents have the responsibility and right to review policies and the application of policies to determine if the same are consistent with law and Board Bylaws, Rules, and pronouncements.

G. Effect of Policies. Policies do not create a contract or quasi-contract among the Board, a campus, and any employee, individual, or entity affected thereby. Further, policies are not intended to limit the appropriate exercise of discretion by officials, as called for in particular circumstances. This Board rule shall be applied prospectively.

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<sup>1</sup> As appropriate for each campus and situation, the President may designate a central office for policy development and approval, or may designate others as needed.

(Adopted July 16, 1980 as Rule 306; amended and renumbered November 3, 2017; Rule 306 was repealed and replaced with this Rule 108 November 3, 2017.)