



Institutional Handbook of Operating Procedures

Policy 1.1.3

Section: 1, Official Governance	Responsible Vice President: Senior Vice President, Legal and Regulatory Affairs
Subject: Official Governance	Responsible Entity: Office of Institutional Compliance

I. Title

Institutional Policy Development, Approval, and Maintenance

II. Policy

UTMB officers, faculty, staff, and students are subject to applicable federal and state laws, the Rules and Regulations of the Board of Regents of The University of Texas System (“Regents”), The University of Texas System Administration (“U.T. System”) system-wide policies, UTMB’s Institutional Handbook of Operating Procedures (IHOP), as well as department and office policies and procedures.

UTMB’s policies and procedures (including school, department, and office policies and procedures) will not conflict with the Regents’ Rules and Regulations or U.T. System policies. Any policy or procedure that is in conflict with the Regents’ Rules and Regulations or U.T. System’s policies is void and has no effect, to the extent such policy or procedure conflicts with Regents’ Rules and Regulations or U.T. System’s policies, and such policy will be revised immediately.

The IHOP is the official document containing the policies and procedures for governance of the institution. Policies connect UTMB’s mission to individual conduct, clarify institutional expectations, support compliance with law and regulation, mitigate institutional risk, and enhance productivity and efficiency in operations. Policies included in the IHOP are those required by law or regulation or those impacting multiple areas of the institution, such as those policies and procedures that:

1. Direct compliance with applicable federal and state laws and regulations, Regents’ Rules and Regulations, and U.T. System policies and procedures;
2. Address or affect the responsibility and authority of various offices and bodies;
3. Address the relationship between administration, faculty, students and staff; or,
4. Outline institutional standards and goals.

All officers, faculty, staff, and students are responsible for reviewing and adhering to all IHOP, department, and office policies. Violation of this policy may result in disciplinary action up to and including: termination for employees; termination of employment relationship in the case of contractors or consultants; or discipline that may include suspension or expulsion in the case of a student. Additionally, individuals may be subject to loss of access privileges, as well as civil and/or criminal prosecution.

The President of UTMB has delegated responsibility for coordination and oversight of the IHOP to the Office of Institutional Compliance (“OIC”) under supervision of the Chief Compliance Officer (“CCO”). The OIC is responsible for coordinating policy development and review to ensure that UTMB’s policies are: consistent with

UTMB's mission; properly developed and regularly updated to remain compliant with the law; and easy to access and understand.

This policy provides uniform and systematic procedures for developing, maintaining, and withdrawing IHOP policies and procedures. The procedures must be followed, and any policies and procedures developed, revised, or withdrawn in violation of this policy will not be published in the IHOP.

III. Responsibility for Policy Development, Maintenance, and Implementation

Responsible Vice President. For purposes of this policy, the term Responsible Vice President includes the following:

- A. The Executive Vice Presidents of the Academic, Health System, and Business and Finance divisions.
- B. The Senior Vice President, Vice President, or Associate Vice President of each unit that reports directly to the President.

The Responsible Vice President is accountable for the substance of IHOP policies under his or her jurisdiction. In accordance with this, the Responsible Vice President must:

- A. Identify the need for and purpose of the policies in relation to a subject that falls under his or her jurisdiction;
- B. Identify the need for new policies or revisions to existing policies in response to changes under applicable state or federal law, regulation, code or rule, Regents' Rules, UT System policy, or accreditation agency requirements;
- C. Designate a Responsible Entity to develop and administer each policy;
- D. Approve drafts of policies before submission to working groups and committees;
- E. Grant final approval of drafts before submission to the President for approval and,
- F. Ensure timely review of existing policies under his or her jurisdiction.

Responsible Entity. In consultation with the Responsible Vice President, the Responsible Entity will be accountable for development and maintenance of assigned policies, including:

- A. Developing new policies;
- B. Reviewing and updating existing policies, in a timely manner;
- C. Submitting policies for review and approval in accordance with the procedures set out in this policy;
- D. Seeking and considering incorporation of stakeholder input; and,
- E. Implementing policy, including training and establishing any other support systems to achieve compliance with new or substantively revised policies.

Ownership Disputes. If there is a dispute related to ownership of an IHOP policy, the OIC will assign responsibility for the policy in consultation with the Responsible Vice President(s).

Assistance with IHOP Policy Development and Management. The OIC is available to assist Responsible Vice Presidents and entities in all aspects of policy development and maintenance.

School, Department and Office Policies. School, department, and office policies and procedures are not subject to the approval processes contained in this policy. Each area may create an internal process for developing,

revising, and approving policies. In addition to coordinating and overseeing the IHOP process, the OIC is available to assist in developing, reviewing, and revising school, department and office policies.

II. Policy Approval Procedures

This policy presents four, step-by-step procedures for approving modifications to policies in the IHOP. The procedure that will be followed is dependent upon the proposed modification to the policy. These procedures are summarized below:

New or Substantive Revisions: New policies and those policies with substantive revisions will undergo a comprehensive review which includes legal review, stakeholder review, and a 14-day open comment period providing the UTMB community an opportunity to participate in the policy development process.

Non-Substantive Revisions: Policies requiring only editorial revisions, such as language, definitions, references, citations and grammar will be approved through an abbreviated process requiring review and approval by the policy area Vice President or Associate Vice President.

Expedited: There are circumstances which require a new or substantively revised policy to be approved without delay. This policy provides a process allowing for expedited review and approval at the request of the President of UTMB.

Withdrawal: The procedure for obtaining approval to withdraw a policy from the IHOP is dependent upon the reason for withdrawal.

III. Procedure for Approval of New Policy or Substantive Revisions

Step One-Preparation for Review by Responsible Entity:

- A.** Conduct a thorough search of existing IHOP policies to ensure that the policy does not duplicate or conflict with information contained in other policies;
- B.** If the policy is new, it must be drafted in the correct IHOP format and in accordance with the style guide (template and style guide provided on the policies and procedures website);
- C.** If the policy is being revised, the revisions should be made to the document using the “track changes” function in Microsoft Word to create a redlined draft of the policy; and,
- D.** Complete IHOP Policy and Procedure Approval Form (provided on the policies and procedures website).

Step Two-Submission to the OIC: Responsible Entity will submit the draft policy and completed IHOP Policy and Procedure Approval Form to the OIC via email at policies@utmb.edu.

Step Three-Review and Approval by the OIC: The OIC will review the draft to determine whether the new or revised policy is consistent with existing UTMB policies, U.T. System policies, and Regents’ Rules. Additionally, the OIC will review the policy for clarity and conformity with IHOP format, and provide non-substantive cleanup.

Step Four-Review and Approval by the Department of Legal Affairs: The OIC will submit the draft policy to the Department of Legal Affairs (“Legal”) for review. The Legal reviewer will ensure that the policy is consistent with UTMB’s legal obligations under federal and state law.

Once any required revisions are made, the policy will be approved and returned to the OIC. The OIC will provide any legal recommendations and revisions to the Responsible Entity for review.

**Note: Legal reviewer and Responsible Entity may work cooperatively at this stage to resolve legal issues and make necessary revisions to the policy.*

Step Five-Notice and Comment Period: New and substantively revised policies will be made available to the UTMB community for a 14-day open comment period. Members of the UTMB community may submit comments to the OIC at any time during this period.

The comments will be provided to the Responsible Entity for consideration. The Responsible Entity is encouraged to take into account the comments but will not be required to revise the policy unless serious issues are identified by a commenter. The Responsible Entity should consult with the Responsible Vice President if serious issues are identified by commenters.

Step Six- Stakeholder Review: Responsible Entity must identify stakeholders that have expertise in the policy's subject matter or will be directly impacted by the policy. The Responsible Entity is tasked with submitting the draft policy to the stakeholders for review and approval.

**Note: Responsible Entity is encouraged to seek stakeholder input early in the development process. In cases in which stakeholder input is received in the early stages of development, this step serves as formal approval of the draft.*

Step Seven-Review and Approval by Working Group:

If applicable, the draft policy will be submitted to faculty, staff, and student working groups for review and approval. Any recommendations or revisions will be provided to the Responsible Entity. The Responsible Entity should take into account any recommendations and comments received from the working group and discuss them with the Responsible Vice President when necessary.

- A. Clinical policies and other policies with an effect on clinical areas must be reviewed and approved by the Clinical Affairs Policy and Procedures Committee (CAPP).
- B. Academic and faculty policies must be reviewed and approved by the Faculty Senate and the Council of Deans.
 - 1. The Faculty Senate will have 30 days from receipt to review and approve policies.
 - 2. Other policies will be reviewed by additional working groups as appropriate.

Step Eight-Review and Approval by Responsible Vice President: The OIC will submit the draft policy to the Responsible Vice President for review and approval.

Step Nine-Approval by President: The OIC will submit the final draft of the policy to the President for approval.

Step Ten-Review by U.T. System: The OIC will submit new and substantively revised policies to The U.T. System Office of General Counsel (OGC) for review and approval. The OIC and Responsible Entity will revise the policy to resolve any concerns communicated by the OGC.

Step Eleven-Notification to UTMB Community and Update IHOP: All new and substantively-revised policies will be published to the IHOP website as soon as possible following approval by the President. The UTMB community will be notified of the new or substantively-revised policy via UTMB e-mail announcements.

IV. Procedure for Approval of Non-Substantive Revisions

Step One-Identify Need for Non-Substantive Revision: Either the Responsible Entity or a member of the UTMB community may identify the need for a non-substantive revision. If someone other than the Responsible Entity has a recommendation for a non-substantive revision, the OIC should be notified. The OIC will inform the Responsible Entity of the recommendation. The Responsible Entity will determine if the recommended non-substantive revision should be made.

Step Two-Review and Approval by Policy Area Vice President or Associate Vice President: The Responsible Entity will submit a copy of the policy reflecting the revisions to the policy area Associate Vice President (AVP) or Vice President for review and approval.

Step Three-Submit to OIC: Responsible Entity will submit the draft policy to the OIC via email at policies@utmb.edu.

Step Four-Review and Approval by the OIC: The OIC will review the policy for clarity and conformity with IHOP format, and provide additional non-substantive cleanup. The Responsible Entity will be provided a final version of the policy.

Step Five-Update IHOP: The OIC will update the policy on the IHOP website to include the non-substantive revisions.

V. Procedure for Expedited Approval

Step One-Request for Expedited Review by President of UTMB: The President of UTMB may initiate the expedited review process by contacting the OIC. The OIC will contact the appropriate Responsible Vice President to communicate the President's request and the action to be taken (i.e. drafting a new policy or revisions to an existing policy).

Step Two-Preparation for Review by Responsible Entity:

- A. Conduct a thorough search of existing IHOP policies to ensure that the policy does not duplicate or conflict with information contained in other policies;
- B. If the policy is new, it must be drafted in the correct IHOP format (template provided on the policies and procedures website);
- C. If the policy is being revised, the revisions should be made to the document using "track changes" function in Microsoft Word to create a redlined draft of the policy; and,
- D. Complete IHOP Policy and Procedure Approval Form (provided on the policies and procedures website).

Step Three-Submission to OIC: Responsible Entity will submit the draft policy and completed IHOP Policy and Procedure Approval Form to the OIC via email at policies@utmb.edu.

Step Four-Review and Approval by the OIC: The OIC will determine whether the policy is consistent with existing UTMB policies, U.T. System policies, and Regents' Rules. Additionally, the OIC will review the policy for clarity and conformity with IHOP format, and provide non-substantive cleanup.

Step Five-Review and Approval by the Department of Legal Affairs. The OIC will submit the draft policy to the Department of Legal Affairs ("Legal") for review. The legal reviewer will ensure that the policy is consistent with UTMB's legal obligations under federal and state law. Once any required revisions are made, the policy

will be approved and returned to the OIC. The OIC will provide any legal recommendations and revisions to the Responsible Entity for review.

**Note: Legal reviewer and Responsible Entity may work cooperatively at this stage to resolve legal issues and make necessary revisions to the policy.*

Step Six-Review and Approval by President: Draft policy will be submitted to the President by OIC.

- A. President may approve the policy for an interim period of six (6) months. The interim approval may be extended at the request of the Responsible Entity or the President for an additional six (6) month period, for a total of twelve (12) months.
- B. If the President does not approve the policy, recommendations will be made to the responsible entity. The Responsible Entity must revise the policy and resubmit it to the OIC for the President's approval.
- C. During the interim approval period, the Responsible Entity must submit the policy for approval under the New or Substantively Revised approval procedure provided in this policy.

Step Seven-Review by U.T. Systems: The OIC will submit new and substantively-revised policies approved through the expedited process to the U.T. System Office of General Counsel (OGC) for review and approval. The OIC and Responsible Entity will revise the policy to resolve any concerns communicated by the OGC. Any substantive revisions made as a result of the OGC's recommendations will be published to the Policies and Procedures website and communicated via UTMB e-mail announcements.

VI. Triennial Review

IHOP Policies will be scheduled for routine maintenance review at least every three (3) years. Responsible entities will be notified by the OIC that a policy is approaching its triennial review date.

- A. Policies only requiring minor, non-substantive revisions will be reviewed pursuant to the Non-Substantive Revisions approval process provided in this policy.
- B. Policies identified during routine maintenance in need of significant revisions must be approved pursuant to the New or Substantively-Revised Policies and Procedures approval process provided in this policy.

VII. Procedure for Withdrawing a Policy from the IHOP

In certain circumstances, a Responsible Vice President may deem it appropriate to withdraw an existing policy or consolidate the content with another policy. The process for withdrawal is dependent upon the circumstances:

- A. Policy Content Consolidated With Another Policy-Non-Substantive: If the content of a policy is being consolidated with an existing policy, and there are no substantive revisions, withdrawal of the policy is approved in accordance with the Non-Substantive Revisions approval process.
- B. Policy Content Consolidated With Another Policy-Substantive Revisions: If the content of a policy is being consolidated with an existing policy and there are substantive revisions to the content, withdrawal of the policy is approved in accordance with the New or Substantive Revisions approval process.
- C. Withdrawal-Other Purposes: If a policy is being withdrawn from the IHOP for any purpose other than consolidation with another policy, withdrawal will be approved in accordance with the New or Substantive Revisions approval process.

VIII. Definitions

Responsible Vice President: The term Responsible Vice President refers to the Executive Vice President of UTMB’s Academic, Health System, and Business & Finance divisions. In those areas that report directly to the President, the term refers to the Senior Vice President, Vice President, or Associate Vice President, whichever is highest ranking for the unit. Depending upon the scope of its subject matter, a policy may have more than one Responsible Vice President.

Responsible Entity: Office, department, body, or individual designated by the Responsible Vice President to develop and implement a policy, communicate with and train the university community on its requirements, and execute its timely updating and revisions. Examples of possible responsible entities include, the Council of Deans, Human Resources, and Nursing Services.

Non-Substantive Revision: Editorial or technical revisions, for example revisions reflecting institutional changes, such as language, definitions, reference citations and grammar.

Redlined Draft: Policy drafted using Microsoft Word “track changes” function to show proposed revisions to existing policy.

Stakeholder: Individual, function, or organization identified by the policy owner, whose role or professional expertise relates to the subject of the policy, and who, therefore, is consulted for comment on the draft.

Substantive Revision: A considerable or significant revision to the essential scope or purpose of a policy or procedure that changes the current practice, procedure, or actions required by a policy. (For specific examples of substantive revisions, please see the IHOP Policy Development Guide on the Policies and Procedures website).

Working Groups: Includes committees, faculty bodies, etc. (Example: CAPP Committee, Council of Deans, and Faculty Senate).

IX. Relevant System Policies and Procedures

Board of Regents’ Rule 10100, *Rule on Rules and Regulations*

Board of Regents’ Rule 20201, *Presidents*

Board of Regents’ Rule 40101, *Faculty Role in Education Policy Formulation*

X. Dates Approved or Revised

<i>Originated:</i> 10/13/2014	<i>Effective Date:</i> 10/13/2014
<i>Reviewed with Changes</i>	<i>Reviewed without Changes</i>

XI. Contact Information

Office of Institutional Compliance

(409) 747-8720 or policies@utmb.edu