

# New York University

## UNIVERSITY POLICIES

**Title:** Developing University Policies  
**Effective Date:** April 10, 2018  
**Supersedes:** February 8, 2015  
**Issuing Authority:** Executive Vice President/Provost  
**Responsible Officer:** General Counsel

### **Statement of Policy**

University Policies serve to promote the mission of New York University (“University”); foster innovation, excellence, and collaboration; enhance operational efficiencies and governance; and communicate expectations.

### **To Whom the Policy Applies**

This policy applies to the process for developing, reviewing, adopting, revising, maintaining, and distributing University Policies. Employees, students, and other interested parties shall review and comply with all applicable University Policies.

### **Policy and Procedures**

#### **Developing and Reviewing University Policies**

University Policies should be written in a clear and concise manner. Unless an exception is authorized by the Office of General Counsel, University policies must follow the format as set forth in Appendix A, attached to this policy, as amended from time to time.

Before submitting a University Policy for approval, the Responsible Officer shall develop and review the University Policy. As part of the review process, the Responsible Officer shall submit the University Policy to the Office of General Counsel for legal review, as well as to the Office of Compliance and Risk Management (“OCRM”) and any other office(s) or body(ies) as necessary and appropriate (e.g., an office responsible for implementing a key aspect of the University Policy or that otherwise has a substantial interest in the subject matter of the University Policy; in the case of academic policies contained in the Faculty Handbook, the Faculty Senate).

Every University Policy must be sponsored by an Issuing Authority.

#### **Approval of University Policies**

Upon completion of the required reviews, the Responsible Officer must submit the draft University Policy to the Policy Review Committee, or such other Senior Administrator as designated by the Policy Review Committee in its discretion, for consideration and approval.

Once approved, the University Policy must be disseminated to the University community as set forth in this policy.

Where a University Policy is required to be issued or approved by the University's Board of Trustees, the proposed University Policy may be submitted to the Board and/or a duly authorized committee of the Board for approval only by the President of the University, the Provost, the Executive Vice President, the General Counsel and Secretary of the University, or as otherwise provided by the University's Charter and Bylaws.

### **Publication and Distribution of University Policies**

OCRM shall maintain a central University Policy webpage with links to all University Policies. Upon the approval of a University Policy, the Responsible Officer shall coordinate with OCRM to publish and distribute the University Policy on the appropriate pages of the University's website and by other appropriate means.

### **Amendments to University Policies**

The Responsible Officer shall ensure that University Policies are current. To that end, the Responsible Officer must: (i) conduct an initial assessment of a new University Policy or major revision of a University Policy one year after the effective date; and (ii) review the University Policy periodically thereafter. The Responsible Officer shall be responsible for updating the University Policy to address changes in applicable law or business practice. Except as otherwise provided in a University Policy itself, material amendments to a University Policy must follow the same review and approval process outlined above.

### **Retiring and Archiving University Policies**

If the Responsible Officer determines that a University Policy is no longer applicable or has been integrated into another University Policy, the Responsible Officer may propose to the Policy Review Committee, or designated Senior Administrator, that the University Policy be retired.

If the Policy Review Committee approves that a University Policy be retired, OCRM shall remove it from the website. OCRM will maintain an archive of all retired and previous versions of published University Policies.

### **Supplemental Policies and Procedures**

Schools, colleges, institutes, operating units, portal campuses (NYU Abu Dhabi and NYU Shanghai), global academic centers, and University Affiliates may issue policies and procedures designed to supplement University Policies or to address matters of interest only to them (hereinafter, "Supplemental Policies and Procedures").

Supplemental Policies and Procedures must be consistent with University Policies in language, purpose, intent, and application. Except to the extent required by applicable law or to the extent approved by the Policy Review Committee in accordance with this policy, any Supplemental Policy or Procedure that is contrary to a University Policy is null and void.

Supplemental Policies and Procedures are not “University Policies” and, therefore, are not governed by the procedures set forth in this policy. Rather, Supplemental Policies and Procedures must be reviewed and approved by the relevant dean, institute director, vice chancellor, unit head, University Affiliate governing board, or appropriate University officer prior to adoption. Because of the complexities of foreign laws, Supplemental Policies and Procedures related to portal campuses and global academic centers must be reviewed by the Office of General Counsel for consistency with applicable foreign laws prior to adoption.

### **Application of this Policy to University Affiliates and Outside of New York**

University Policies articulate the values and principles the University upholds and the obligations imposed on members of the University community. Thus, University Policies apply to the operations and activities of the University outside New York and to all University Affiliates (other than benefits and Human Resources policies) unless: (i) otherwise stated in the University Policy; (ii) the University Policy conflicts with or has not been approved in accordance with applicable law, in which case the University Policy shall apply to the maximum extent permitted by applicable law; (iii) an exception is made by the President or his/her designee, after notice to the Office of General Counsel, or, where required, the Board of Trustees, including any relevant committee of the Board; or (iv) a University Affiliate or global academic center adopts a policy that is substantially similar to the University Policy and that policy is approved by the Policy Review Committee in accordance with this policy.

Whenever there is a question regarding the University’s legal responsibilities at locations outside of New York, the University’s Office of General Counsel must be consulted to evaluate the University Policy in the context of foreign laws and to advise on an appropriate course of action.

### **Additional Information**

Nothing in this policy limits or circumscribes in any way the power and authority of the University to issue, amend, or revoke any University Policy or any Supplemental Policy or Procedure.

## **Definitions**

**Issuing Authority** means the institutional body or individual with oversight in the area addressed by the University Policy, including but not limited to, the Board of Trustees, President, Executive Vice President, Provost, General Counsel, and any Senior Vice President.

**Responsible Officer** means the person whose office, department, unit, or other body is responsible for developing, administering, maintaining, and updating a University Policy.

**Policy Review Committee** means those individuals designated by the Office of the President to review and approve University Policies as set forth in this policy.

**University Affiliates** means those entities controlled, directly or indirectly, by the University through (a) ownership of 50% or more of the ownership interests in the entity or (b) the

power to appoint or elect 50% or more of the organization's governing body (e.g., directors or trustees).

**University Policy** means any policy that has broad application or impact throughout the University across colleges, schools, institutes and/or operating units.

### **Related Policies**

None

## Appendix A

# New York University

## UNIVERSITY POLICIES

**Title:**

**Effective Date:**

**Supersedes:**

**Issuing Authority:**

**Responsible Officer:**

### **Statement of Policy**

This section should include a statement of the Policy and the purpose of the Policy.

### **To Whom the Policy Applies**

This section should state the members of the University community to whom the policy applies.

### **Policy and Procedures**

### **Definitions**

Definitions may be placed earlier in the Policy if that facilitates the readability of the Policy.

### **Related Policies**