

The Johns Hopkins University
University Policy on Policies

I. Purpose of This Policy

This policy establishes a development and approval process for University Policies and Administrative and Divisional Policies as defined below. By implementing this uniform process, the University seeks to enhance operational efficiencies, best practices, effective decision making and compliance with laws and regulations across the University. This policy also helps ensure that policies are easily accessible and understandable, widely disseminated, consistent and reviewed and approved in an appropriate way. The University aspires to develop a policy framework that best serves its mission and represents and supports excellence in all of its activities.

II. Definitions

A. University Policy. A “University Policy” is a policy with broad application throughout the University which enhances the University’s mission, promotes operational efficiencies, reduces institutional risk, or helps ensure coordinated compliance with applicable laws and regulations, and is approved in accordance with the procedures stated in Section IV. The Senior Planning Group (or such other group as the President may designate) may develop criteria for distinguishing a University Policy to be approved under Section IV from an Administrative or Divisional Policy that may be issued under Section VI. By way of illustration only, attached as Exh. A is a draft set of criteria for distinguishing University Policies from Administrative or Divisional Policies.

B. Administrative and Divisional Policy. See Section VI.

C. Senior Planning Group. The Senior Planning Group consists of the President, Provost and Senior Vice President for Academic Affairs, Senior Vice President for Finance and Administration, Secretary to the Board of Trustees, Vice President and Chief of Staff to the President, and the Senior Advisor to the President.

D. Responsible Official. Responsible Official includes the President, any Vice President and any employee delegated by the President or a Vice President to develop a University Policy.

III. Initiation of a University Policy

A University Policy may be initiated by a Responsible Official. The Responsible Official should oversee the drafting and development process and may designate others to assist in this process. The Responsible Official should also review and update the policy on a timely basis to ensure compliance with current laws, regulations, and best practices, and seek review and approval of any material changes to the policy.

IV. Review and Approval of a University Policy

At the outset of the process, the Responsible Official may (but is not required to) submit a proposal for a University Policy to the President’s Office for consideration by the Senior Planning Group. The proposal should discuss the background of, justification for and likely impact of the new policy, along with a summary of the principles and procedures involved. If the proposal is approved, or if the Responsible Official decides to proceed without submitting a proposal, the Official should engage in the drafting process and consult with relevant University stakeholders. If the University Policy would significantly affect academic issues, faculty and/or students, then the Official must consult with academic officials and faculty representatives, including, where appropriate, the Council of Deans, divisional faculty councils, ad hoc or standing committees or otherwise.

After appropriate consultation, the Official must submit the proposed policy to the President’s Office for approval by the Senior Planning Group. Prior to final approval, the Senior Planning Group will review the consultative process that has been undertaken, including with respect to academic and faculty issues as described above, and require such additional consultation as it may deem appropriate. Once a

University Policy is approved by the Senior Planning Group, the Responsible Official should publish and distribute it to the University community, including via the website (or successor site) below.

The Senior Planning Group may, as warranted, submit a University Policy to the Board of Trustees for approval. The Senior Planning Group may develop criteria for deciding whether a University Policy should be reviewed with and/or approved by the Board of Trustees or by a Committee of the Board. By way of illustration only, a draft set of Criteria is attached as Exh. B. Wherever practical, University Policies should be reviewed and approved in accordance with the procedures set out here, but nothing in this policy limits the authority of the Board of Trustees or the President as provided in the By-laws to issue, amend or revoke a University Policy. This policy is intended as a set of guidelines and does not establish required procedures that must be followed for a policy to have legal effect.

Individuals may consult with the Office of the Vice President and General Counsel at any stage in the development process and in interpreting policies that have been adopted

V. Website

All policies approved in accordance with Section IV are University Policies, and should be posted on the University's Policy Website (or a successor site) at

http://webapps.jhu.edu/jhuniverse/administration/minutes_policies_reports/policies/.

VI. Administrative and Divisional Policies

Vice Presidents, Deans and Directors, and other administrative units may promulgate other policies within the scope of their areas of responsibility, provided these Administrative and Divisional Policies do not conflict with University Policies. Administrative and Divisional Policies should be disseminated and maintained in an appropriate manner that makes them easily accessible, such as links on a divisional or unit "Policies" website.

VII. Transition

This Policy applies to new University Policies developed and issued after the date of this Policy. The Vice Presidents should review existing policies in their areas of responsibility that would be considered University Policies if developed hereafter and should post such policies on the University Policy Website.

Approved By: The Board of Trustees
Date Adopted: March 5, 2012
Date Effective: March 5, 2012
Contact: The University Office of the General Counsel

Criteria for deciding whether a policy is an Administrative or Divisional Policy that may be issued under Section VI rather than a University Policy that must be approved under Section IV

These criteria are not binding but each refers to a situation or describes a type of policy that may not require central approval but may instead be considered as an Administrative or Divisional Policy that is appropriate for approval under Section VI of the University Policy on Policies. This list includes examples of policies that illustrate the criteria.

1. The policy applies to a campus or individual division, unit or function and does not have institution-wide significance (division, unit or campus specific policies).
2. The policy may relate to a subject with institution-wide application but it is an internal operational policy intended principally for employees in a particular unit (Development policies, HR Personnel Policies Manual).
3. The policy may need to be changed quickly and/or on a regular basis because of changing circumstances, such as changes mandated by government regulations (compliance related policies).
4. The policy relates to a subject that is technical or requires specialized training or experience to develop and implement (HSE, tax, immigration).

**Criteria for Deciding Whether the Board of Trustees
Should Approve a University Policy**

In deciding whether a particular University Policy should be approved by or reviewed for information with the Board of Trustees or a committee of the Board, the President and the Senior Planning Group should consider the following factors. These criteria are not binding, but each refers to a situation where review and/or approval by the Board or a Board Committee may be appropriate. This list includes examples of policies that illustrate the criteria.

1. The policy is required by law to be approved by the governing board (Compliance Plan, non-discrimination, Red Flags).
2. The Board approved an earlier version of the policy (Intellectual Property, Conflict of Interest and Conflict of Commitment, Indemnification).
3. The policy relates to the fiduciary duties of board members (Conflicts of Interest of Trustees, Compliance Plan, Institutional Risk Management Plan, Intermediate Sanctions, underwater endowments).
4. The policy relates to a subject that is addressed in the bylaws and/or reserved by the bylaws to the Trustees (delegation of authority, tenure policies).
5. The policy deals with issues of important reputational significance (service on boards and outside activities by university officers, use of the Johns Hopkins name).
6. It is important to demonstrate to external or internal constituencies that the University has approved the policy at the highest level (prohibition on engaging in political activities, institutional conflicts of interest).
7. The subject of the policy is one that is discussed with the Board on a regular basis (significant compliance and institutional risk management policies)
8. The policy relates to an important governance or oversight function (Policy on Policies, certain Development policies relating to endowments and naming)