

PIERPONT COMMUNITY & TECHNICAL COLLEGE
BOARD OF GOVERNORS
PP-1000

SHORT TITLE: Policy on Policies

REFERENCE: West Virginia Code §18B-1-6(c)(3)

Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education, Series 4, *Rules and Administrative Procedures*

EFFECTIVE DATE: March 26, 2019 – Replaces Previous Policy 50 – Policy on Policies

AMENDED:

REPEALED:

REVIEWED:

SECTION 1. PURPOSE

This policy is established to meet the requirements of Title 135, Procedural Rule, West Virginia Council for Community and Technical College Education (the Council), Series 4, *Rules and Administrative Procedures*.

SECTION 2. SCOPE AND APPLICABILITY

This policy establishes the process for adoption, amendment, or repeal of any rules, guidelines, administrative procedures, and policy statements by the Board of Governors (the “Board”) of Pierpont Community & Technical College (the “College”) that have an institution-wide effect or affect the rights, privileges, or interests of employees, students, or citizens.

SECTION 3. DEFINITIONS

3.1 **Rule.** Any regulation, guideline, directive, standard, statement of policy, or interpretation of general application and future effect that has institution-wide effect or affects the rights, privileges or interests of employees, students, or citizens.

- 3.2 **Administrative Procedure.** Any regulation, guideline, directive, standard or statement of policy or interpretation of future effect that does not qualify as a “rule.”
- 3.3 **Issuances.** Documents developed and distributed as official rules, guidelines, and policy statements that establish the policies, responsibilities, and general procedures governing Pierpont.
- 3.4 **Unit.** Area of the organization directed by members of the President's Cabinet, such as the President's Office, Academic Affairs, Student Services, Finance, and Technology.
- 3.5 **Department.** Area of the organization directed by a Director/Manager who reports to a member of the President's Cabinet, such as Admissions, Marketing, and eLearning.
- 3.6 **Program.** – Area of the organization within a department or unit developed to deal with all aspects of a particular function.

SECTION 4. POLICY

- 4.1 **Resolution of Conflicts between Council and Pierpont Rules and Policies.** It is the policy of the College to comply with the mandates of Title 135, Procedural Rule, Series 4, *Rules and Administrative Procedures*, of the West Virginia Council for Community and Technical College Education (the “Council”). To the extent that the Council should revise Series 4 or promulgate any rule inconsistent with this policy, the Council rule would supersede this policy.
- 4.2 **Documentation.** Administrative issuances of general college-wide interest will be documented as part of Pierpont's Policy on Policies (POP) system.
- 4.3 **Applicability.** Issuances will be clear, concise, and direct on matters of college-wide effect that:
 - 4.3.1 Establish or define rules, guidelines, or policy statements,
 - 4.3.2 Publish program and institutional administrative decisions,
 - 4.3.3 Effect formal delegation of authority,
 - 4.3.4 Assign functional or operational responsibility and establish organizational structure, or
 - 4.3.5 Provide relevant information for college-wide distribution.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 **Types of Issuances.** The following types of issuances will be used.
- 5.1.1 **Pierpont Community & Technical College Policy (PP).** Pierpont Policy will be used to publish rules, guidelines, and policy statements, which may include delegation of authority, program or institutional administrative decisions, general guidelines or procedures, and other college administrative information with an institution-wide effect.
 - 5.1.2 **Pierpont Emergency Policy (PEP).** Pierpont Emergency Policy will be used to publish interim, temporary, or emergency rules, guidelines and policy statements which shall be effective until a PC&TCP (Pierpont College Policy) is developed and approved.
 - 5.1.5 **Pierpont Institutional Procedure (PIP).** Pierpont Institutional Procedure will be used to publish institutional procedures which are narrow in scope and a limited to a specific unit or department.
- 5.2 **Exclusions.** The following are not rules with institution-wide effect and, therefore, are not part of the POP system and are not subject to the provisions of Title 135, Series 4.
- 5.2.1 Issuances of individual units, divisions, departments or programs which deal solely with the internal management or responsibilities of a single unit, division, department or program. However, such issuances may be used within Pierpont for internal instructions or procedures governing unit, department, or program operations. The department's cabinet-level administrator will determine signature authority of these issuances. In all cases, such internal issuances will be developed in compliance with the POP system.
 - 5.2.2 Academic curricular policies that do not constitute a mission change for the institution.
 - 5.2.3 Day-to-day correspondence.
 - 5.2.4 Specific case or transaction documents and their supporting papers.
 - 5.2.5 Specific task/project assignments, operational directives, or approved documents.
 - 5.2.6 Technical documentation, such as specifications, drawings, maps, part lists, and scientific and technical reports of projects.

5.2.7 Brochures or pamphlets approved by the administration for informational release to the general public.

5.2.8 Periodic advisory or informational material of short-term value.

SECTION 6. GENERAL PROVISIONS

6.1 **Proposal.** Any individual, group, program, department or unit recognizing a need for the adoption, amendment, repeal, or distribution of an issuance may propose such issuance through the appropriate governance committee or department head in accordance with the provisions of this policy and in compliance with Pierpont's governance process.

6.2 **Resolution of Major Differences during Development Process.** Any major differences arising during the POP development process which cannot be resolved will be referred to the President or the President's designee for decision.

6.3 **Policy Numbering.** The numbering of Pierpont's issuances will be consistent with the Classification Table for Pierpont's POP system, PP-1000.A. Numbering details and general format for issuances are included as Attachment B (PP-1000.B).

6.4 **Track Changes.** Changes to an existing policy must be indicated using the strikethrough appearance for deletions and underline for revisions and/or modifications. These appearance enhancements will be removed after final approval.

6.5 **Periodic Review.** Policies shall be reviewed on a regular basis with a time frame for review of each policy to be determined by the President or the President's designee. Upon such review, the President or the President's designee may recommend that the policy be amended or repealed.

SECTION 7. RESPONSIBILITIES

7.1 Cabinet-level Administrators

7.1.1 **Development of New Policies and Review of Existing Policies.** The cabinet-level administrators and their designees are responsible for coordinating with the President or the President's designee to develop new policies or review existing policies to ensure compliance with applicable laws, rules, and regulations; to avoid duplication or overlap of existing issuances; and to retain documentation case files of administrative issuances falling within their respective areas of responsibility.

7.1.2 **Oversight.** The cabinet-level administrators and their designees responsible

for oversight of an approved policy will establish an internal system for periodic review, revision, or cancellation. The last review date will be printed on the issuance prior to approval.

- 7.2 **Operational Management.** The President's Office will be responsible for operational management of the POP system, which will include drafting, revising, or assisting with the revision of policies; adherence to format and good editorial standards; maintenance of master reference files of all issuances; assignment of policy numbers; preparation of current indices; updates of technical changes (e.g., position titles); and distribution of issuances.
- 7.3 **Procedure for Adoption, Amendment, or Repeal of Rules, Guidelines, or Policy Statements Subject to the POP system**
- 7.3.1 **Institution-Wide Effect.** The procedures set forth in this section (7.3) shall only apply to the adoption, amendment, or repeal of any rule, guideline, or policy statement by the President or the Board with institution-wide effect.
- 7.3.2 **Compliance with Procedure.** Unless otherwise provided in this policy, no rule, guideline or policy statement with institution-wide effect shall be adopted, amended, or repealed by the President or the Board unless the provisions in this section have been met.
- 7.3.3 **Non-Substantive Changes.** The President or the Board may, without following the procedures in this section, make editorial, non-substantive changes in rules, guidelines, or policy statements transferred to Pierpont's jurisdiction by the West Virginia Higher Education Policy Commission (HEPC) or the West Virginia Council for Community and Technical College Education (Council) to reflect the effect of the transfer. The President may, without following the procedures in this section, adapt existing policies to the classifications, numbering system, and general format set forth in PP-1000.A and PP-1000.B, as long as the adaptation does not require any substantive changes.
- 7.3.4 **Notice to Interested Parties.** If the President or the Board determines that a rule, guideline, or policy statement should be adopted, amended, or repealed concerning a subject matter under the Board's jurisdiction that is not otherwise excluded by this policy, the Assistant to the President shall notify the Chancellor and those persons representing student, faculty, and classified employees at the College, as well as other interested parties, and shall solicit comments and suggestions regarding the determination.

- 7.3.5 **Comment Period.** Any rule, guideline, or policy statement subsequently drafted and considered for adoption will be circulated in draft form by the Assistant to the President to the same parties listed in 7.3.4 of this section for a period of not less than thirty (30) calendar days, with a date noted when written comments on the draft are to be returned to the Assistant to the President.
- 7.3.6 **Public Access.** A final draft of the rule, guideline, or policy statement being considered shall be posted on the Board's pages of the Pierpont website, using strike and insert to designate changes made. All written comments will be available for public review in the office of the Assistant to the President.
- 7.3.7 **Public Hearing on Request.** Upon a request by affected constituencies, individuals, or parties, the Board may schedule a public hearing regarding adoption, amendment, or repeal of the rule, guideline, or policy statement.
- 7.3.8 **Board Action.** At the close of the comment period, the proposed rule, guideline, or policy statement shall then be presented to the appropriate Board committee. If no written comments are received during the comment period, the Board may proceed to the adoption, amendment, or repeal of the rule, guideline, or policy statement. If written comments are received during the comment period, the Board may amend the proposed policy and proceed with adoption, or the Board may choose to submit the policy for an additional 30-day comment period.
- 7.3.9 **Final Draft Sent to President or the President's Designee.** A final draft of the rule, guideline, or policy statement shall be sent by the President or the President's designee to the parties listed in 7.3.4 of this section with an explanation of any changes, a summary of the comments received, and a decision concerning each issue raised.
- 7.3.10 **Approval by the Chancellor.** Except as otherwise provided, the adoption, amendment, or repeal of any rule, guideline, or policy statement shall not be effective until approved by the Chancellor. Approval by the Chancellor or Council shall not be withheld unless the rule, guideline, or policy is inconsistent with state or federal law or the policies and mission of the Council. If the Chancellor notifies the Board of any specific or general objections to the rule, guideline, or policy statement, the Board or the President will address the objections. If the President or the Board disagrees with the objections, either may appeal to the Council. If the Chancellor has not listed any objections to a rule, guideline, or policy

statement within thirty (30) days of receipt of its final version, it shall be deemed approved.

7.3.11 **Public Access.** All proposed and approved rules, guidelines, and other policy statements shall be available for public viewing at no cost. They will be posted on the Board of Governors pages of the Pierpont website (<https://www.pierpont.edu/about/governance/board-governors/bog-policies>), according to the classification and numbering system established in the Policy on Policies.

7.4 **Pierpont Emergency Policy.** In the case of an emergency, the President or the Board may adopt, amend, or repeal a rule, guideline, or policy statement without first following the procedures set out in this policy.

7.4.1 **Emergency Defined.** For the purpose of this section, an emergency exists when the adoption, amendment, or repeal of a rule, guideline, or policy statement is necessary

7.4.1.1 for the immediate preservation of public peace, health, safety, or welfare,

7.4.1.2 to comply with a time limitation established by a state or federal law or regulation or a directive or rule of the Council,

7.4.1.3 to prevent substantial harm to the public interest, or

7.4.1.4 to deal with a financial exigency.

7.4.2 **Communication to the Chancellor.** The facts constituting an emergency shall be communicated in writing in advance to the Chancellor, who may disapprove the action of the President or the Board if the Chancellor disagrees that an emergency existed.

7.4.3 **Limited Duration.** Any adoption, amendment, or repeal of a rule, guideline, or policy statement under the emergency procedure policy shall remain in effect no longer than three (3) months and shall expire unless the President or the Board has completed final approval under the normal process set out in this section.

SECTION 8. CANCELLATION

This policy cancels and replaces existing BOG Policy #50, made effective on September 7, 2006.

SECTION 9. REVIEW STATEMENT

This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

Attachments: PP-1000.A, Classification Table
PP-1000.B, Format for Pierpont Community & Technical College Policy (PP)

Distribution: Board of Governors (12 members)
<https://www.pierpont.edu/about/governance/board-governors/bog-policies>

Revision Notes: