

## **Tips for Developing and Drafting Policies and other Governance Documents**

### Reasons to Develop A Policy

It may be appropriate to develop a policy if there is a need to put the public and campus community on legal notice regarding how UCB or any of its entities will handle one or more of the following:

1. The conduct or activities UCB mandates, requires, or prohibits;
2. The types of sanctions UCB may impose if there is a violation of law or policy;
3. Who has the authority to make decisions on behalf of UCB;
4. The standards UCB will apply;
5. Who has delegated authority;
6. How UCB is implementing new law or a System policy;
7. Applicable campus-wide procedures; or
8. The guidelines UCB will use to interpret or further explain law or System policies.

### Reasons Not to Develop a Policy

It may not be appropriate to develop a policy if one or more of the following apply:

1. It may not be enforced;
2. It may contain inaccurate legal or policy information;
3. The subject matter is already addressed in some other law or policy;
4. It may conflict with the Laws of the Regents, Regent Policies, or Administrative Policy Statements; or
5. It may unnecessarily limit administrative discretion.

### Developing a Policy

The following are suggested steps in developing a policy:

1. Specifically define the problem and what needs to be changed;
2. Explain how the matter has been dealt with previously;
3. Obtain copies of any similar policies that have been developed by other public universities;
4. Identify and obtain copies of federal, state, Regent laws, regulations, court cases, etc, and campus and department policies that affect the subject to be addressed by the proposed policy. The Office of the University Counsel can assist with this research;
5. Draft a conceptual outline that summarizes the elements to be included in the proposed policy;
6. Consult with appropriate stakeholders;
7. Obtain a summary review of the conceptual outline by University Counsel; and
8. Proceed with drafting the policy and submit it for appropriate review and approval.