

## Establishing Policies and Procedures Policy

<b>Effective Date:</b>	August 6, 2020
<b>Supersedes:</b>	Establishing Policies and Procedures Policy effective November 6, 2012
<b>Policy Review Date:</b>	August 6, 2023
<b>Issuing Authority:</b>	Research Foundation President
<b>Policy Owner:</b>	Joshua B. Toas, Chief Compliance Officer
<b>Contact Information:</b>	(518) 434-7145 <a href="mailto:rcompliance@rfsuny.org">rcompliance@rfsuny.org</a>

### Reason for Policy

This Policy establishes the required process by which Policies, Procedures, and Guidelines are developed, reviewed, maintained, and obsoleted. This Policy reduces corporate risk by setting behavioral expectations and requirements, communicating roles and responsibilities, and promoting consistency, efficiency, and transparency.

RF corporate policies are created to implement a Board resolution, achieve compliance with relevant laws, rules, or regulations, set standards for professional conduct, or address risks to the organization. The Board, when applicable, may resolve to establish a Policy, direct management to enact a Policy consistent with their resolution, or management may, at its discretion, establish Policies, Procedures, and Guidelines as needed to run the business of the Research Foundation.

### Statement of Policy

Policies, Procedures, and Guidelines must be created or changed in accordance with this Policy and the related Procedures: [Creating and Updating RF Policies](#) or [Creating and Updating RF Procedures and Guidelines](#). The RF President is the only issuing authority for RF corporate Policies. The RF Central Office Vice Presidents are the issuing authority for Procedures, Guidelines, and forms created to support Policies related to functions which are subject to their oversight. During the development phase, Policy Owners must consult with those impacted by the new, updated, or obsoleted Policies, Procedures, or Guidelines.

## **Exemptions**

Any exception to the processes outlined in the Procedures identified above must be authorized by the Chief Compliance Officer or designee.

Non-substantive changes to Policies, Procedures, and Guidelines that may be exempt from these processes include:

- Updates to contacts and related information;
- Updates to links;
- Spelling error corrections;
- Updates to government set values (e.g. NIH salary cap, travel per diems, retirement contribution limits);
- Changes to campus-owned Policies, Procedures, and Guidelines; and
- Other changes deemed non-substantive by the Office of Compliance Services.

The RF President and the Chief Compliance Officer are authorized to waive the provisions of this or any RF Policy unless doing so would result in a violation of federal, state, or local law, regulation, or ordinance. The justification of any waivers must be documented and maintained by the Office of Compliance Services. The department of Internal Audit must be notified of any waiver.

## **Campus Owned Policies, Procedures, and Guidelines**

Individual operating locations may develop local Policies, Procedures, or Guidelines provided the following conditions are met:

- The local policy or procedure is not inconsistent with, or less restrictive than RF corporate Policies or Procedures;
- The purpose of the campus owned Policy, Procedure, or Guideline is to mitigate a risk specific to an individual campus operating location that is not covered by RF corporate Policies or Procedures, as the need is not universal among all operating locations; or to govern a transaction or operation that is unique to the campus or is issued to govern a campus-specific operational process; and
- A copy of the campus operating location's Policy is made available to RF Central Office upon request.

## **Referencing RF Corporate Policies**

Campuses referencing RF corporate Policies, Procedures, or Guidelines must link to the [RF public website](#) Policy pages where practicable rather than posting or embedding the original document to ensure use of the most current version of the Policy, Procedure, or Guideline.

## Policy Review

Policy Owners must periodically review and monitor their Policies, Procedures, and Guidelines for accuracy, clarity, and efficiency. Monitoring and enforcement activities are expected to be appropriate for the level of risk managed.

## Responsibilities

The following table outlines the responsibilities for compliance with this Policy:

<b>Responsible Party</b>	<b>Responsibility</b>
RF President	Issuing authority for all RF Policies. Waiver authority for all RF Policies.
Leadership Team	Advise RF President regarding approval of new or updated RF Policy.
Office of General Counsel and Secretary	Review RF Policies, Procedures, and Guidelines for accuracy and consistency with Board resolutions, relevant laws, rules, or regulations, and RF standards for professional conduct, consider relevant legal risks to the organization, and make recommendations.
Chief Compliance Officer or Designee	Maintain oversight and responsibility for governance of this Policy and associated Procedures. Review Policies and Procedures to ensure criteria for each is met.  Review RF Policies, Procedures, and Guidelines for accuracy and consistency with Board resolutions, relevant laws, rules, or regulations, RF standards for professional conduct, and relevant legal risks to the organization. Waiver authority for all RF Policies.
Enterprise Compliance Team and relevant campus focus groups	Review new or updated RF Policies to provide an institutional perspective and provide input on the impact to the organization.  Provide updates to and seek input from other campus colleagues as appropriate.
RF Vice Presidents	Issuing authority for Procedures and Guidelines created to support Policies related to functions which are subject to their oversight.
Policy Owner or Designee	Draft, update, and obsolete Policies, Procedures, and Guidelines with stakeholder input, administer Policies and Procedures, and perform scheduled review and assessment of Policies in their function.

## Definitions

*Policy:* Governing rule or principle that requires or prohibits conduct.

*Policy Owner:* The Vice President responsible for the operational administration of functions subject to his or her routine oversight.

*Procedure:* Required steps to implement or comply with a related Policy.

*Guideline:* Optional steps outlining suggested ways to perform a function or adhere to a Policy or Procedure.

## Related Information

Procedure for [Creating and Updating RF Policies](#)

Procedure for [Creating and Updating RF Procedures and Guidelines](#)

## Forms

[New or Updated Policy](#)

[New or Updated Procedure or Guideline](#)

## Change History

Date	Summary of Change
August 6, 2020	Added language for obsoleting Policies, Procedures, and Guidelines. Updated to include related forms in the statement of Policy. Added waiver authority, definition of Policy Owner, and added Office of General Counsel and Secretary and RF Vice Presidents to table of responsibilities.
11/6/12	New Policy created

## Feedback

Was this document clear and easy to follow? Please send your feedback to [webfeedback@fsuny.org](mailto:webfeedback@fsuny.org).

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