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## MEMORANDUM

**TO:** Kevin Wagner, Faculty Senate President and Professor

**FROM:** Bret Danilowicz, Provost and Vice President   
Academic Affairs

**DATE** May 1, 2020

**SUBJECT:** **Policy Rider: Adjustments or Modifications to Academic Policies during an Emergency**

### I. Introduction

- a. The purpose of this rider is to enable the Florida Atlantic University Division of Academic Affairs and Office of the Provost, in consultation with the University faculty and administration, to efficiently make appropriate adjustments or modifications to academic policies, procedures, and processes when an emergency causes relocation and/or disruption of instruction or other related academic activities.
- b. This rider attaches to all Florida Atlantic University academic policies when an emergency is declared by the President or Board of Trustees of Florida Atlantic University; the leaders of the city of Boca Raton or Palm Beach County; the Governor of the State of Florida; or the President of the United States.

### II. Definitions

- a. *Policy, Procedure, or Process.* As used in this Rider, a Policy, Procedure, or Process is any policy, procedure, process, guideline, or memorandum setting forth information and standards concerning University activities and published at:
  - i. The Academic Affairs or Information Technology sections of the University Policies and Procedures Manual (<http://www.fau.edu/policies/index.php>);
  - ii. The Division of Academic Affairs' Memoranda and Policies Page (<http://www.fau.edu/provost/resources/policy-memoranda.php>);

- iii. The Office of Information Technology's Policies page (<http://www.fau.edu/security/policies.php>); or
  - iv. The policies or resources page of any Florida Atlantic University College.
- b. *Rider*. A rider is an addition to an existing policy or other governing document that amends its provisions.
  - c. *Emergency*. An emergency is an unexpected occurrence that affects academic continuity and instruction and requires immediate action. Emergencies include but are not limited to fire, flood, weather-related events (e.g. hurricane or tornado), health (e.g. epidemics or pandemics), damage to physical structures or technological infrastructures as a result of an accident, criminal activity, or terrorist attack.
  - d. *Relocation of instruction*. Relocation of instruction constitutes a shift of instructional modality, a physical move of instructional activities to a different geographic location, or a combination of both as a result of the emergency.
  - e. *Disruption of instruction*. Instruction is disrupted when the University operations cease or suspend for any period of time and Florida Atlantic University can no longer support continuity of instruction as a result of the emergency.

### **III. Emergency Adjustments and Modifications**

- a. This rider empowers the Division of Academic Affairs and Office of the Provost, in consultation with the University faculty and administration, to adjust reasonably its policies, processes, and procedures to accommodate the extraordinary circumstances of the specific emergency. The Provost is further empowered to rescind or modify any such adjustments in accordance with the procedures set forth below.
- b. The adjustments and modifications will be in effect until rescinded or modified by the Provost, or the University leadership officially declares the emergency has ended (see item IV), whichever occurs earlier.
- c. The Faculty Senate shall be notified and may provide input or feedback for all academic policy, procedure, and process adjustments or modifications pursuant to the provisions of this rider.

- d. All policy, procedure, and process modifications or adjustments must be approved by the Provost and Vice President for Academic Affairs to become operational.
- e. The Provost and Vice President for Academic Affairs will notify the University President of all approved policy, procedure, and process modifications or adjustments.
- f. All adjustments or modifications for emergencies must meet the following criteria:
  - i. The adjustments or modifications must be reasonable and justified to address the specific conditions that arise from the emergency.
  - ii. Students' progress to degree must be maintained or minimally impacted.
  - iii. All adjustments and modifications must comply with:
    - a. Standards or expectations of any disciplinary accreditor and of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).
    - b. Florida State University System Board of Governors (BoG) Regulations, Florida Atlantic University Regulations and Policies (except those identified at item II.a.), and the Collective Bargaining Agreement.
    - c. Any executive order by the Governor of Florida or statute duly placed into effect by the Florida Legislature.
    - d. *Exceptions.* Exceptions to the preceding items a, b, and c are allowed only when the accreditor, BoG, FAU, executive order, state statute, or Collective Bargaining Agreement specifically provide for such exceptions.
  - iv. Florida Atlantic University shall communicate emergency adjustments or modifications to all appropriate constituents. These shall be timely, clear, dated, and delivered in writing through multiple formats and media.
  - v. All emergency policy adjustments will be reviewed by the Faculty Senate every 60 days after going into effect until rescinded.

**IV. Cessation of the Provisions of the Emergency Rider**

- a. This rider ceases when the emergency is resolved or otherwise ended by declaration of the President of Florida Atlantic University or Board of Trustees, the leaders of the city of Boca Raton or Palm Beach County, the Governor of the State of Florida, or the President of the United States.
- b. The Provost will inform the appropriate constituents when the emergency rider provisions cease, any policy modifications are rescinded, and academic operations return to their normal, pre-emergency state.