

CHAPTER 1
GENERAL PROVISIONS

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1.010. Purpose of Code. The purpose of this Code of Policies is to collect all of the current policies of a general and permanent nature adopted by the Board of Governors prior to the effective date of the Code and found desirable for retention, and those added for clarity and completeness, into an integrated document with consistent language. All policies of a general and permanent nature adopted by the Board of Governors after the effective date of this Code will be added to the Code in order for it to remain a single collection of such policies.

Source: Customary provision

1.020. Citation of Code. The policies contained in this and the following chapters of this document shall constitute and be designated the "Code of Policies of the Board of Governors" and may be so cited. Such policies also may be cited simply as the "Code of Policies" or the "Policies Code". Revised editions of the Code, as prepared and authenticated from time to time in accordance with this chapter, will be designated by listing the year of the revision and adding the word "revised" to the title. For example, a revised edition of the Code in 1997 would be designated as the "1997 Revised Code of

Policies of the Board of Governors." Such a revised edition also may be cited simply as the "1997 Revised Code of Policies" or the "1997 Policies Code".

Source: Customary provision

Cross-reference: Section 1.110 of the Code

- 1.030. Rules of Construction. All general provisions, terms, phrases, and expressions contained in the Code are to be liberally construed in order for the true intent and meaning of the Board of Governors to be fully implemented. Words and phrases are to be taken in their plain or usual sense, but technical words and phrases having a particular or appropriate meaning in law are to be understood according to their technical import. As used in the Code, the words "shall", "is", and "are" are mandatory, and the word "may" is usually permissive.

Source: Customary provision

- 1.040. Coordination of Code with Bylaws. The Code of Policies is supplemental to the Bylaws of the Board of Governors and should be construed in harmony with the Bylaws. In the event of a clear conflict between the provisions of the Bylaws and the provisions of the Code, then the Bylaws take precedence and thereby modify the conflicting provisions of the Code.

Source: Customary provision

- 1.050. Severability. It is the intention of the Board of Governors that the chapters, sections, paragraphs, sentences, clauses, and phrases of the Code are severable. If any phrase, clause, sentence, paragraph, section, or chapter of the Code is declared invalid by the judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections, or chapters of the Code.

Source: Customary provision

1.060. Repeal of Policies. When an action of the Board of Governors repealing a former policy is itself repealed or rescinded, such repeal or rescission shall not be construed to revive the former policy unless such former policy is expressly reinstated.

Source: Customary provision

1.070. Definitions. In the construction of the Code, and all other policies of the Board, the following definitions are to be observed unless the context clearly requires otherwise.

1. The terms "Board of Governors" and "Board" mean the Board of Governors for Truman State University.
2. The term "Bylaws" means the bylaws of the Board of Governors.
3. The terms "Code of Policies" and "Code" mean the policies contained in this and the following chapters of this document.
4. The term "employee" means any person employed by the University on either a full-time or part-time basis in a normal employment relationship. An independent contractor hired for a specific project is not considered to be an employee.
5. The term "officer" means a member of the Board of Governors, the President of the University, the Executive Vice President for Academic Affairs and Provost, the Treasurer or Treasurers, and the General Counsel, as provided in the Bylaws.
6. The terms "President of the University" and "President" mean the duly appointed or acting President of the University.
7. The term "RSMo" means the Revised Statutes of Missouri.
8. The term "statutes" means the Revised Statutes of Missouri.
9. The term "University" means Truman State University.

Source: Customary provision

Resolutions of the Board dated February 17, 2007, April 12, 2014 and October 10, 2014

1.080. Implementation of Policies. Unless noted to the contrary in a particular provision, the President of the University has both the duty and authority to implement the policies in the Code. For that purpose, the President may prepare and approve policies, procedures, guidelines, rules, schedules, and other documents to implement the policies, and may delegate authority for the implementation of various policies to one or more employees either by name or title.

Source: Resolution of the Board dated August 22, 1992
Resolution of the Board dated December 1, 2007

Cross-reference: Sections 4.050 and 10.010 of the Code

1.090. Amendments. Changes or additions to the Code may be made by the Board of Governors at any regular meeting, or special meeting called for that purpose, by majority vote of the voting members present at the meeting if a quorum is present. The Board will endeavor to specify the section or sections of the Code being changed, or the designated place in the Code for the new policies being added, as it acts to adopt new or different policies of a general and permanent nature. Failure to make such references to the Code will not affect the validity of actions by the Board to adopt new or different policies. The General Counsel has the duty and authority to make technical corrections in the amendments and to incorporate such amendments into the Code in a similar manner as changes are made in the state statutes by the Committee on Legislative Research and the Revisor of Statutes, pursuant to Chapter 3 of the statutes. Amendments to the Code take effect at the time of their approval by the Board unless a later effective date is specified in such action. When appropriate, the Board will delay the effective date of amendments to the Code in order to provide advance notice of the changes or additions in policies.

Source: Chapter 3, Revised Statutes of Missouri

1.100. Annual Supplements. An annual cumulative supplement for the Code, showing all changes and additions since the adoption of the Code or since publication of the last revised edition of the Code, is

to be prepared by the General Counsel following the end of each fiscal year. Such annual supplements are to be prepared in a similar manner as the annual supplements for the statutes.

Source: Chapter 3, Revised Statutes of Missouri

- 1.110. Revised Editions. Revised editions of the Code are to be prepared as often as necessary to merge the Code, or the latest revised edition of the Code, and the latest annual supplement into a single integrated document. Revised editions of the Code will bear the year of publication as part of the title. For example, a revised edition of the Code published in 1998 will be entitled, and should be officially cited as, the "1998 Revised Code of Policies of the Board of Governors". It is expected that revisions of the Code will need to be prepared and published at least once every ten years. Revised editions of the Code, when duly prepared and authenticated, will replace and supplant earlier editions of the Code, except to the extent that errors and omissions in transferring policies from the previous edition to the new edition are discovered within one year after presentation of the new edition to the Board. When a new edition of the Code is prepared and authenticated, the new edition is to be presented to the Board of Governors at a regular meeting, and its receipt is to be noted in the minutes. The new edition of the Code will become effective at the time of such presentation to the Board with the proviso that any policies inadvertently omitted or altered in their transfer from the previous edition of the Code to the new edition will remain effective as stated in the earlier edition for one year. During the one year period after its presentation to the Board, the new edition may be corrected by the General Counsel to reflect accurately the transfer of policies from the previous edition, and such corrections are to be reported to the Board. After the expiration of the one year period, the new edition will become as fully effective as if adopted *in toto* by the Board, and the text of the policies in such revised edition may not be changed thereafter except by action of the Board.

Source: Chapter 3, Revised Statutes of Missouri

Cross-reference: Section 1.020 of the Code

1.120. Authentication. The General Counsel has the duty to prepare, and the authority to authenticate, the annual supplements and the revised editions of the Code in a similar manner as the annual supplements and revised editions of the statutes are prepared and authenticated by the Committee on Legislative Research and the Revisor of Statutes.

Source: Chapter 3, Revised Statutes of Missouri