1-201 General Provisions for Rule Adoption

Revision Dates

10/1/2026, 10/2/2020, 12/12/1986 (adopted; effective 12/31/1986)

ARTICLE B. PROCEDURES FOR RULE ADOPTION

A. Purpose

1. This Article (Procedures for Rule Adoption) sets forth the procedures to be followed by the Arizona Board of Regents and the universities under its jurisdiction whenever any rule is proposed for adoption after December 31, 1986. In accordance with A.R.S. § 41-1005(D), these procedures are intended to provide, as appropriate under the circumstance, for notice of opportunity for comment on any rule proposed for adoption.

2. This Article (Procedures for Rule Adoption) concerns only rule-making procedures and is not intended to affect the substantive provisions of any rule proposed for adoption. These procedures are in addition to any other relevant procedural requirements to which the Board or the universities may be subject under Arizona law, such as open meeting law requirements.

B. Definitions

In this Article (Procedures for Rule Adoption), unless the context otherwise requires:

1. "Agenda item" means a specified matter listed on an agenda included as part of the public notice of a Board meeting pursuant to A.R.S. § 38-431.02.

2. "Arizona Administrative Code" means Title 41, Chapter 6, Article 3, of the Arizona Revised Statutes, as amended.

3. "Board" means the Arizona Board of Regents.

4. "Person" means an individual, partnership, corporation, association, governmental subdivision or unit of a governmental subdivision, a public or private organization of any character, or another agency.

5. "President" or "university president" means the president of a university.

6. "Rule" means a statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the Board or a university. Rule includes the amendment or repeal of a prior rule, but does not include intra-agency memoranda.

7. "Rule making" means the process for formulation and adoption of a rule.

8. "University" means a university governed by and under the jurisdiction of the Board.

C. Exemptions

1. This Article (Procedures for Rule Adoption) shall not apply to any rule expressly exempted from the requirements of the Arizona Administrative Code by A.R.S. § 41-1005(A), including without limitation any:

   a. Rule which relates to the use of public works, including sidewalks, streets, and highways, under the jurisdiction of the Board or a university if the effect of the rule is indicated to the public by means of signs or signals.

   b. Rule concerning only the internal management of the Board or a university which does not directly and substantially affect the procedural or substantive rights or duties of any segment of the public.

   c. Rule that only establishes specific prices to be charged for particular goods or services sold by the Board or a university.

   d. Rule concerning only the physical servicing, maintenance, or care of facilities or property owned or operated by the Board or a university.

   e. Form whose contents or substantive requirements are prescribed by rule or statute, and instructions for the execution or use of the form.

2. This Article (Procedures for Rule Adoption) does not apply to any:

   a. Rule for the control of vehicles on property of a university under the Board's jurisdiction which relates to speed, parking, standing, stopping, or passing enacted pursuant to A.R.S. § 15-1627.

   b. Fees prescribed by A.R.S. § 15-1626.

Policy History

12/12/1986 Approved by the Board on second reading to be effective 12/31/1986.

10/2/2020 Policy revision approved by the Board on second reading.

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Related Information