



# TRANSMITTAL LETTER

## The University of North Carolina

### *General Administration*

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Transmittal Number 80  
November 19, 2012

#### THIS LETTER TRANSMITS CHANGES TO THE *UNC POLICY MANUAL*

200.6*	Delegation of Authority to the President This Policy was amended and approved by the Board of Governors on October 11, 2012.
600.1.3.1*	Policy on Acquisition and Disposition of Real Property by Lease This Policy was amended and approved by the Board of Governors on October 11, 2012.
600.2.4*	Custody and Management of Institutional Trust Funds and Special Funds of Individual Institutions This Policy was amended and approved by the Board of Governors on October 11, 2012.
600.5.4	Contracts to Obtain the Services of a Consultant This Policy was adopted by the Board of Governors on October 11, 2012.
600.5.4[G] <i>Repealed**</i>	Guidelines on the State Consulting Act Adoption of new Policy 600.5.4 resulted in the Repeal of these Guidelines.
600.2.4.1[R] <i>Repealed**</i>	Regulations Relative to Trust Fund Legislation Adoption of new Policy 600.2.4.1, <i>Delegated Authority for Managing Institutional Trust Funds</i> (per Transmittal Letter #79 dated August 28, 2012), resulted in the Repeal of these Regulations.
400.1.1.4[G] <i>Repealed**</i>	Appendix B: UNC Request for Authorization to Plan a New Doctoral or First Professional Degree Programs These Guidelines were no longer in effect and repealed as the result of the work by the Academic Program Review Advisory Group and the Academic Affairs Division.
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The entire UNC Policy Manual is accessible at:  
<http://www.northcarolina.edu/policy/index.php>

\* A Redline version reflecting these changes is attached herein.

\*\* *Repealed* documents are maintained on the University's website (see link above) under **Browse/Search** and the *Repealed* tab.

*Attachments*

*An Equal Opportunity/Affirmative Action Employer*

### **Delegation of Authority to the President**

A. Pursuant to NCGS §116-11(13) and other North Carolina law as referenced herein, and notwithstanding *The Code* or any other Board of Governors policy<sup>1</sup> the Board of Governors delegates the following authorities to the President of the University:

1. Personnel

- a. Authority to appoint and set the salaries of Senior Academic and Administrative Officers (§300.1.1 and §600.3.4) and other employees exempt from the State Personnel Act (§300.2.1) serving within the UNC General Administration.
- b. Authority to set salary ranges for Senior Academic and Administrative Officers of the constituent institutions of University (§600.3.4).
- c. Authority to approve conferrals of tenure and to set salaries of faculty, Senior Academic and Administrative Officers, except the chancellors, and other employees exempt from the State Personnel Act at campuses that do not have Management Flexibility to Appoint and Fix Compensation as long as those salaries are within the established salary ranges and are not raises in excess of 15% and \$10,000 higher than the salary in effect at the end of the last fiscal year. (§§300.1.1 and 600.3.4; *Code* §602).
- d. Authority to approve all actions relating to the administration of the Optional Retirement Program (G.S. §135-5.1) and the Phased Retirement Program (§300.7.2).
- e. Authority to approve salary increases in excess of \$10,000 and 15% for faculty members who are receiving salary increases funded through the Faculty Recruitment and Retention Fund.

2. Governance

- a. The authority to approve the initiation of a lawsuit in the name of the University if the action is for monetary relief and the amount in controversy is less than \$250,000. (§200.5)
- b. The authority to settle a lawsuit that has been filed by or against a constituent institution or the University of North Carolina, if the settlement is solely for monetary relief and the amount the University is to pay pursuant to the settlement is less than \$250,000 or, if the University is to receive a payment, the amount the University claimed is less than \$250,000. (§200.5)
- c. Authority to approve the political activities of employees of the University who are candidates for or serving in public office (§300.5.1).

3. Reports

- a. The authority to approve and submit any report the University or the Board of Governors is required to submit to the General Assembly, the State Board of Education or any other State agency or officer.

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<sup>1</sup>The Secretary of the University is authorized to annotate the referenced policies and regulations to cross-reference these delegations.

4. Real Property

- a. Except as authorized by b. below, authority to approve leases with at least \$50,000<sup>2</sup> but less than \$350,000 annual rental for a term of up to five years, subject to approval by the Department of Administration and the Governor and Council of State (§§600.1.3 and 600.1.4[R]).
- b. Authority to approve the acquisition or disposition of real property by lease without the approval of the Department of Administration, the Governor and Council of State if the lease is for a term of not more than 10 years. The President's authority may be exercised in the President's discretion on behalf of General Administration, University affiliates or the constituent institutions. (G.S. 116-31.12, and Policy §§600.1.3.1 and 600.1.3.1[R]).
- c. Authority to approve acquisition or disposition of an interest in real property, other than a lease, for an amount of at least \$50,000 but less than \$500,000 (§§600.1.3 and 600.1.4[R]).
- d. Authority to approve capital improvement projects that are projected to cost \$500,000 or less. The President must provide notice of projects the president intends to approve under this provision to the Committee on Budget and Finance at least one week prior to authorizing the project. (§600.1.1).

5. Institutional Trust Funds

- a. Authority to delegate to the chancellors management of institutional trust funds (600.2.4 and 600.2.4.1).

B. The President will report all actions taken under the authority of these delegations to the appropriate Committee of the Board of Governors either in writing before the next regular meeting of the Board of Governors or at the next regular meeting of the Board of Governors.

C. These delegations will remain in effect unless and until the Board of Governors rescinds them in whole or in part.

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<sup>2</sup>Note that leases with annual rent less than \$50,000 may be approved by the boards of trustees or the chancellors without further approval by the Board of Governors or the President. See Regulation §600.1.4[R].

### Delegation of Authority to the President

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- b. Authority to set salary ranges for Senior Academic and Administrative Officers of the constituent institutions of University (§600.3.4).
- c. Authority to approve conferrals of tenure and to set salaries of faculty, Senior Academic and Administrative Officers, except the chancellors, and other employees exempt from the State Personnel Act at campuses that do not have Management Flexibility to Appoint and Fix Compensation as long as those salaries are within the established salary ranges and are not raises in excess of 15% and \$10,000 higher than the salary in effect at the end of the last fiscal year. (§§300.1.1 and 600.3.4; *Code* §602).
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- c. Authority to approve acquisition or disposition of an interest in real property, other than a lease, for an amount of at least \$50,000 but less than \$500,000 (§§600.1.3 and 600.1.4[R]).
- d. Authority to approve capital improvement projects that are projected to cost \$500,000 or less. The President must provide notice of projects the president intends to approve under this provision to the Committee on Budget and Finance at least one week prior to authorizing the project. (§600.1.1).

5. Institutional Trust Funds

- a. Authority to delegate to the chancellors management of institutional trust funds (600.2.4 and 600.2.4.1).
- B. The President will report all actions taken under the authority of these delegations to the appropriate Committee of the Board of Governors either in writing before the next regular meeting of the Board of Governors or at the next regular meeting of the Board of Governors.
- C. These delegations will remain in effect unless and until the Board of Governors rescinds them in whole or in part.

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<sup>2</sup>Note that leases with annual rent less than \$50,000 may be approved by the boards of trustees or the chancellors without further approval by the Board of Governors or the President. See Regulation §600.1.4[R].

## **Policy on Acquisition and Disposition of Real Property by Lease**

### **I. Authority**

N.C. Gen. Stat. § 116-31.12 (hereinafter G.S.) delegates to the Board of Governors of the University of North Carolina the authority to authorize the constituent institutions and the University of North Carolina General Administration to acquire and dispose of real property by lease if the lease is for a term of not more than ten (10) years. Further, the statute directs the Board of Governors to establish a policy by which this leasing authorization may be further delegated to the boards of trustees of the constituent institutions or to the President of the University of North Carolina.

### **II. Policy**

A. The Board of Governors may delegate to the President of the University of North Carolina authority consistent with G.S. 116-31.12 to acquire and dispose of real property by lease if the lease term is for a term of not more than 10 years. The President's authority may be exercised on behalf of General Administration, its affiliates or the constituent institutions in the President's discretion.

B. Upon request by the Board of Trustees of a constituent institution and with the recommendation of the President, the Board of Governors may delegate to the Board of Trustees of a constituent institution authority consistent with G.S. 116-31.12 to acquire and dispose of real property by lease if the lease term is for a term of not more than 10 years.

C. The Vice President for Finance, in consultation with General Counsel, shall establish the process by which a constituent institution may request delegated authority consistent with G.S. 116-31.12. The minimum criteria a constituent institution must meet to receive authorization from the Board of Governor's shall be:

1. The constituent institution has performed a written, comprehensive self-assessment that demonstrates it has the administrative, technical, and support resources necessary to properly carry out the delegated authority.
2. The chancellor has certified in writing that the constituent institution has the administrative, technical, and support resources necessary to properly carry out the delegated authority.
3. The constituent institution has a properly constituted and active campus property review committee comprised of individuals with sufficient technical expertise, strategic perspective and executive authority to perform the duties required herein.
4. The constituent institution has an individual on staff with substantial experience in managing commercial real estate transactions and the chancellor has designated that individual as the campus property officer.
5. The constituent institution has appropriate and sufficient technical and professional staff with demonstrated capability in the development, evaluation and execution of commercial leasing transactions.
6. An assessment team, assembled and led by the Vice President for Finance, has reviewed the constituent institution's self-assessment, has performed an on-site capabilities appraisal that confirms the institution's self-assessment, and has recommended delegation to the President.

D. Upon recommendation of the President of the University of North Carolina, for good cause and consistent with G.S. 116-31.12, the Board of Governors may revoke or suspend the authority of a constituent institution or take other remedial action as the Board deems necessary and appropriate, pending a review of any reported noncompliance with this policy and the associated regulations. The Vice President for Finance, in consultation with the General Counsel, shall establish the process by which such reports shall be investigated and for the implementation of any revocation or suspension. Once authority has been revoked pursuant to this policy, all future lease transactions for the institution involved shall be completed in accordance with Chapter 146 of the General Statutes of North Carolina and any delegations issued in accordance therewith.

**Policy on Acquisition and Disposition of Real Property by Lease****I. Authority**

N.C. Gen. Stat. § 116-31.12 (hereinafter G.S.) delegates to the Board of Governors of the University of North Carolina the authority to authorize the constituent institutions and the University of North Carolina General Administration to acquire and dispose of real property by lease if the lease is for a term of not more than ten (10) years. Further, the statute directs the Board of Governors to establish a policy by which this leasing authorization may be further delegated to the boards of trustees of the constituent institutions or to the President of the University of North Carolina.

**II. Policy**

A. The Board of Governors may delegate to the President of the University of North Carolina authority consistent with G.S. 116-31.12 to acquire and dispose of real property by lease if the lease term is for a term of not more than 10 years. The President's authority may be exercised on behalf of General Administration, its affiliates or the constituent institutions in the President's discretion.

B. Upon request by the Board of Trustees of a constituent institution and with the recommendation of the President, the Board of Governors may delegate to the Board of Trustees of a constituent institution authority consistent with G.S. 116-31.12 to acquire and dispose of real property by lease if the lease term is for a term of not more than 10 years.

C. The Vice President for Finance, in consultation with General Counsel, shall establish the process by which a constituent institution may request delegated authority consistent with G.S. 116-31.12. The minimum criteria a constituent institution must meet to receive authorization from the Board of Governor's shall be:

1. The constituent institution has performed a written, comprehensive self-assessment that demonstrates it has the administrative, technical, and support resources necessary to properly carry out the delegated authority.
2. The chancellor has certified in writing that the constituent institution has the administrative, technical, and support resources necessary to properly carry out the delegated authority.
3. The constituent institution has a properly constituted and active campus property review committee comprised of individuals with sufficient technical expertise, strategic perspective and executive authority to perform the duties required herein.
4. The constituent institution has an individual on staff with substantial experience in managing commercial real estate transactions and the chancellor has designated that individual as the campus property officer.
5. The constituent institution has appropriate and sufficient technical and professional staff with demonstrated capability in the development, evaluation and execution of commercial leasing transactions.
6. An assessment team, assembled and led by the Vice President for Finance, has reviewed the constituent institution's self-assessment, has performed an on-site capabilities appraisal that confirms the institution's self-assessment, and has recommended delegation to the President.



D. Upon recommendation of the President of the University of North Carolina, for good cause and consistent with G.S. 116-31.12, the Board of Governors may revoke or suspend the authority of a constituent institution or take other remedial action as the Board deems necessary and appropriate, pending a review of any reported noncompliance with this policy and the associated regulations. The Vice President for Finance, in consultation with the General Counsel, shall establish the process by which such reports shall be investigated and for the implementation of any revocation or suspension. Once authority has been revoked pursuant to this policy, all future lease transactions for the institution involved shall be completed in accordance with Chapter 146 of the General Statutes of North Carolina and any delegations issued in accordance therewith.

### **Custody and Management of Institutional Trust Funds and Special Funds of Individual Institutions**

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.1 charged the Board of Governors of the University of North Carolina with the custody and management of the institutional trust funds of the University of North Carolina and of each constituent institution, and instructed the board to adopt uniform policies and procedures applicable to the administration of these funds; and

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.2 charged the chancellor of each constituent institution of the University of North Carolina with the custody and management of special funds of that institution and instructed the Board of Governors to adopt uniform policies and procedures for the administration of these funds; and

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.3 charged the chancellor of each constituent institution of the University of North Carolina with the custody and management of institutional student auxiliary enterprise funds of that institution, subject to uniform policies and procedures adopted by the Board of Governors; and

WHEREAS, after due consideration, the board concluded that moneys received by an institution in respect to fees and other payments rendered by medical, dental or other health care professionals under organized practice plans or under contractual agreements between the institution and a hospital or other health care provider should be deposited in the institution's official depository rather than with the State Treasurer;

WHEREAS the 1990 Reconvened Session of the 1989 General Assembly enacted legislation, Chapter 936 of the 1989 Session Laws, which provides management incentives and budgetary flexibility for constituent institutions of the University of North Carolina and an expanded definition of "institutional trust funds" to include institutional student auxiliary enterprise funds and funds received from the operation and maintenance of institutional forest and forest farmlands, thereby necessitating revision of the Board of Governors resolution dated January 12, 1979, concerning custody and management of institutional trust funds and special funds of individual institutions;

WHEREAS, the 2011 General Assembly enacted legislation, Session Law 2011-145 section 9.6E which provides that the Board of Governors adopt uniform policies applicable to the deposit, investment, and administration of institutional trust funds and that through the President, the Board of Governors may delegate authority to the chancellors.

NOW, THEREFORE, BE IT RESOLVED: That the following policies and procedures are hereby established for the administration of: institutional trust funds, as now defined in N.C.G.S. § 116-36.1 and special funds of individual institutions, as defined in N.C.G.S. § 116-36.2.

#### **I. General Provisions**

A. Funds not to substitute for state appropriations. Neither the funds covered by these policies and procedures nor the investment income therefrom shall take the place of state appropriations or any part thereof, but any portion of these funds available for general institutional purposes shall be used to supplement state appropriations to the end that the institution may improve and increase its functions, may enlarge its areas of service, and may become more useful to a greater number of people.

B. Presumption that receipts belong to the General Fund unless shown otherwise. Except as otherwise provided by or pursuant to law, all moneys received by or accruing to an institution shall be deemed institutional receipts within the meaning of the Executive Budget Act and shall be deposited with the State Treasurer to the credit of the General Fund unless the chancellor can

show that the moneys fall within one or more of the following general categories: (1) institutional trust funds, as defined in N.C.G.S. § 116-36.1. (2) special funds of the institution, as defined in N.C.G.S. § 116-36.2. (3) endowment funds, as defined in N.C.G.S. § 116-36. (4) funds subject to debt instruments containing special provisions with respect to the deposit of receipts pledged to secure such debt.

C. Accounting. The chancellor of each institution, with the approval of the State Controller, shall establish and maintain an accounting system for the funds covered by these policies and procedures in conformity with generally accepted principles of institutional accounting and in accordance with these policies and procedures.

D. Internal control. The chancellor of each institution shall institute internal control procedures with respect to the handling of funds covered by these policies and procedures that are necessary or desirable to prevent misappropriation or mishandling of the funds.

E. Preaudit of disbursements. No bill or claim against an institution to be charged to an account established here under may be paid unless it has been approved by the officer or employee authorized to initiate disbursements from that account. No bill or claim may be paid in any form other than a check or draft on an official depository of the institution or a warrant on the State Treasurer.

F. Facsimile signatures. The chancellor may authorize the use of facsimile signature machines or signature stamps in signing checks, drafts, and warrants.

## II. Institutional Trust Funds

A. Applicability. This Section II applies to moneys within the following categories:

1. moneys, or the proceeds of other forms of property, received by the institution as gifts, devises, or bequests that are neither presumed nor designated to be gifts, devises, or bequests to the endowment funds of the institution.
2. moneys received by the institution pursuant to grants from, or contracts with, the United States government or any agency or instrumentality thereof.
3. moneys received by the institution pursuant to grants from, or contracts with, any state agencies, any political subdivisions of the state, any other states or nations or political subdivisions thereof, or any private entities whereby the institution undertakes, subject to terms and conditions specified by the entity providing the moneys, to conduct research, training or public service programs.
4. moneys collected by the institution to support extracurricular activities of students of the institution.
5. moneys received from or for the operation by the institution of activities established for the benefit of scholarship funds or student activity programs.
6. moneys received from or for the operation by the institution of any of its self-supporting auxiliary enterprises, including institutional student auxiliary enterprise funds for the operation of housing, food, health, and laundry services.
7. moneys received by an institution in respect to fees and other payments for services rendered by medical, dental or other healthcare professionals under an organized practice plan approved by the institution or under a contractual agreement between the institution and a hospital or other health care provider.
8. moneys received from the disposition effected pursuant to Chapter 146, Article 7, of any interest in real property owned by or under the supervision and control of an institution if the interest in real property had first been acquired by gift, devise, or bequest or through expenditure of moneys defined in Section II.A. as 'trust funds', except the net proceeds from disposition of an interest in real property first acquired by the

institution through expenditure of moneys received as a grant from a state agency. (Chapter 529 of the 1981 Session Laws)

9. moneys received from operation and maintenance of institutional forests and forest farmlands, provided that such moneys shall be used, when used, by the institution for support of forest-related research, teaching, and public service programs.

10. moneys received from an activity authorized by G.S. 55-58(b)(8)m., n., and o;

11. moneys deposited to the State Education Assistance Authority Fund pursuant to G.S. 116-209.3; and

12. any other moneys collected by an institution as student fees previously approved by the Board of Governors.

B. Delegation of authority. The chancellor of each institution, under the supervision of the President, is charged with the custody and management of all moneys within the categories described in Section II.A. now held by or hereafter accruing to that institution in accordance with applicable laws of the State of North Carolina and these policies and procedures.

C. Agency Fund Authorities. The President is authorized to approve and transmit to the State Treasurer an agency fund authority for each institution receiving any of the moneys identified in Section II.A. This document shall contain the following information:

1. The name of the institution.

2. The categories of moneys as described in Section II.D. to be deposited in the fund.

3. The position or individual authorized to approve disbursements from the fund.

The fund authority shall constitute authorization for the State Treasurer to establish and administer such a fund in the name of the institution.

D. Institutional trust fund authorities. The President is authorized to approve for each institution for which an Agency Fund is established pursuant to Section II.C. one or more Institutional Trust Fund Authorities for each of the following categories as may be appropriate to that institution's operations:

1. Gifts, devises and bequests. This category comprises all receipts described in Section II.A.(1), including income derived from the investment of institutional trust fund balances and gifts and grants for student loans (including federal and state contributions).

2. Federal contracts, grants and agreements. This category comprises receipts described in Section II.A.(2), including receipts derived from the sale of surplus federal property originally purchased through a federal institutional trust fund.

3. Non-federal contracts and grants. This category comprises receipts described in Section II.A.(3) not properly includable in another category.

4. Student extracurricular activities. This category comprises receipts described in Section II.A.(4), including receipts from student activities fees established by the Board of Governors for the support of student organizations, student athletic and recreational activities (other than intercollegiate athletics), student entertainment, student publications and similar activities.

5. Institutional auxiliary enterprises and activities supporting scholarship funds and student activity programs. This category comprises receipts described in Section II.A.(5) and Section II.A.(6) from the operation of self-supporting service enterprises which exist primarily to furnish goods or services to students, faculty, or staffs and institutional

programs and for which charges or fees are related to the cost of the goods or services. By way of illustration but not limitation, these enterprises include the operation of housing, food, health, and laundry services, central stores, printing and duplicating services, student stores, student centers, athletic facilities, rental property, utilities systems, and similar operations, specifically including all operations whose profits are dedicated to scholarship support or specific student activity programs.

6. Fees for services of health care professionals. This category comprises receipts described in Section II.A.(7).

7. Dispositions of real property. This category includes receipts described in Section II.A.(8) of net proceeds from the disposal of any interest in real property belonging to an institution and acquired as described in Section II.A.(8).

8. Institutional forests and forest farmlands. This category includes receipts described in Section II.A.(9) of moneys received from operation and maintenance of institutional forests and forest farmlands and used, when used, in support of forest-related research, teaching, and public service programs.

9. Moneys received from an activity authorized by G.S. 66-58(b)(8)m., n., and o. This category includes receipts described in Section II.A.(10) of moneys derived from certain activities authorized by the referenced subsections of the Umstead Act.

10. Moneys deposited to the State Education Assistance Authority Fund pursuant to G.S. 166-209.3. This category includes receipts described in Section II.A.(11) of moneys from the operation of certain programs of the State Education Assistance Authority; and

11. any other moneys collected by an institution as student fees previously approved by the Board of Governors.

Each Institutional Trust Fund Authority shall contain the following information:

1. The name of the institution.
2. The source(s) of the moneys to be credited thereunto.
3. The purpose(s) for which the moneys credited thereunto may be used.
4. The position or individual authorized to receive moneys to be credited thereto and to disburse them.

Upon the approval of the President, the Institutional Trust Fund Authority shall be transmitted to the chancellor of the institution and a copy shall be filed among the permanent records of the President's office. When established as provided therein, the Institutional Trust Fund Authority shall constitute authorization for the institution to receive and disburse the moneys described therein in accordance with the purposes stated, subject to the provisions of G.S. 143-18.1 with respect to capital improvements projects.

E. Subsidiary Account Authorities. For each subsidiary account within one of the categories described in Section II.D., the chancellor is authorized to approve an account authority containing the following information:

1. The Institutional Trust Fund Authority within which the account is established.
2. The name of the account and its accounting designation.
3. The source of the moneys to be credited thereto.
4. The purpose of the account, including any specific restrictions, terms or conditions on the use of the moneys credited thereto.

5. The position or individual authorized to accept receipts and initiate disbursements from the account. Each account authority for institutional trust funds authorized by the chancellor shall be filed among the permanent records of his office and it shall constitute authorization for establishment and operation of the account in accordance with the purposes stated therein.

F. Deposit to and disbursement from institutional trust fund accounts. Except as provided in Section II.I., all moneys within the categories described in Section II.A. that are received by an institution shall be deposited with the State Treasurer in that institution's Agency Fund and credited to the appropriate Institutional Trust Fund and subsidiary account on the institution's books. Disbursement of such moneys shall be accomplished by warrant on the State Treasurer issued by the person designated in the Agency Fund Authority upon voucher or requisition of the person designated in the Institutional Trust Fund Authority or the subsidiary account authority as appropriate. No disbursement shall be made for a purpose not specified in the appropriate fund or account authority or contrary to any specific restrictions, terms or conditions on the use of the funds.

G. Allocation of investment income. Subject to any restrictions thereon, investment income credited to an institution's Agency Fund by the State Treasurer as provided in Section II.D. or earned through institutional investment and management may be used for institutional support purposes in such manner as the President, or chancellor, as applicable, shall approve.

H. Financial reports. If an institution has delegated authority pursuant to Policy 600.2.4.1, the institution shall report only as provided in section II.K.

I. Institutional Trust Funds under delegated authority. Any of the foregoing provisions of this Section to the contrary notwithstanding, funds, identified in Policy 600.2.4.1 shall be deposited in an official depository of the institution.

J. Investment of cash balances. Available cash balances shall be invested in interest bearing deposits and investments so that the rate of return equals that realized from the investment of state funds generally and shall otherwise be managed in the manner provided for in Section III.D, E, F, G, and H. Income earned on investment of funds shall be used, subject to any restrictions thereon, in such manner as may be prescribed further in the Institutional Trust Fund Authority.

K. Reports. If an institution has delegated authority pursuant to Policy 600.2.4.1, the chancellor shall report annual by September 30 to the President as of June 30 of each year, (i) the total balance of institutional trust and special funds invested outside of the Office of the State Treasurer; (ii) the balance broken down into sub-total by investment asset classes; and (iii) names of commercial cash management bank, investment custodian, and all investment managers including dollars under management and the type of investment asset classes handled by the manager. Beginning with the third annual report submitted to the President, the constituent institution shall include a rolling three-year average annual rate of return on institutional trust and special funds invested outside of the Office of the State Treasurer. Beginning with the fifth annual report, the constituent institution shall also include a rolling five-year average annual rate of return on the same funds, in addition to continuing to provide the rolling three-year average annual rate of return.

### III. Special Funds of Individual Institutions

A. Applicability. This Section III applies to moneys within the following categories:

1. moneys received from or for the operation by the institution of its program of intercollegiate athletics.
2. moneys held by the institution as fiscal agent for individual students, faculty, staff members, and organizations.

B. Account Authority. Effective January 15, 1979, a chancellor shall not authorize the creation or continuation of an account for special funds falling within any of the categories described in Section III.A. until he has established an account authority for that account. Upon approving an account authority for special funds, the chancellor shall file it among the permanent records of his office and it shall constitute authorization for establishment and operation of the account in accordance with the purposes stated therein.

C. Allocation of investment income. Income earned on investment of funds covered by this Section III shall be used, subject to any restrictions thereon, in such manner as may be prescribed in the account authority.

D. Fidelity bonding. Each officer, employee, or agent of an institution who handles or has in his custody any of the funds described in Section III.A., or who has access to physical inventories constituting assets of accounts established under this Section III, shall be covered by an individual or blanket fidelity bond with sufficient sureties payable to the institution.

E. Investment of idle funds.

1. An institution may deposit at interest or invest all or part of the cash balance of any account established under this Section III.

2. Moneys may be deposited at interest in any bank or trust company in this state in the form of certificates of deposit, savings accounts, or similar interest-bearing time deposits. Such deposits shall be secured as provided in Section III.G., provided, however; that deposits of an institution with delegated authority pursuant to Policy 600.2.4.1. shall not be required to be secured.

3. Moneys may be invested in any form of investment allowed by law to the State Treasurer any of the securities authorized by A RESOLUTION CONCERNING THE INVESTMENT OF UNIVERSITY FUNDS NOT REQUIRED FOR CURRENT USE adopted by the Executive Committee of the Board of Trustees of the University of North Carolina on March 14, 1969; or as proposed by the institution pursuant to Policy 600.2.4.1.

4. The institution may employ one or more fiscal agents for the purposes of this section.

F. Selection of depositories. The chancellor of each institution shall designate as the official depository of the institution one or more banks or trust companies in this state. No funds subject to this Section III shall be deposited in any place, bank or trust company other than an official depository, except as otherwise required by the terms of any debt instrument containing special provisions with respect to deposits.

G. Deposits to be secured. The amount of money on deposit in an official depository or deposited at interest pursuant to Section III.E. shall be fully secured by deposit insurance, surety bonds, or investment securities of such nature, in such amounts, and in such manner as is prescribed by the State Treasurer for the security of state funds generally, provided, however; that deposits of an institution with delegated authority pursuant to Policy 600.2.4.1 shall not be required to be secured.

H. Daily deposits. All receipts subject to this Section III shall be deposited daily. If the chancellor gives his approval, deposits shall be required only when the moneys on hand amount to as much as two hundred and fifty dollars (\$250.00), but in any event a deposit shall be made on the last business day of the week.

### **Custody and Management of Institutional Trust Funds and Special Funds of Individual Institutions**

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.1 charged the Board of Governors of the University of North Carolina with the custody and management of the institutional trust funds of the University of North Carolina and of each constituent institution, and instructed the board to adopt uniform policies and procedures applicable to the administration of these funds; and

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.2 charged the chancellor of each constituent institution of the University of North Carolina with the custody and management of special funds of that institution and instructed the Board of Governors to adopt uniform policies and procedures for the administration of these funds; and

WHEREAS the 1977 General Assembly (2nd Session, 1978) by enactment of N.C.G.S. § 116-36.3 charged the chancellor of each constituent institution of the University of North Carolina with the custody and management of institutional student auxiliary enterprise funds of that institution, subject to uniform policies and procedures adopted by the Board of Governors; and

WHEREAS, after due consideration, the board concluded that moneys received by an institution in respect to fees and other payments rendered by medical, dental or other health care professionals under organized practice plans or under contractual agreements between the institution and a hospital or other health care provider should be deposited in the institution's official depository rather than with the State Treasurer;

WHEREAS the 1990 Reconvened Session of the 1989 General Assembly enacted legislation, Chapter 936 of the 1989 Session Laws, which provides management incentives and budgetary flexibility for constituent institutions of the University of North Carolina and an expanded definition of "institutional trust funds" to include institutional student auxiliary enterprise funds and funds received from the operation and maintenance of institutional forest and forest farmlands, thereby necessitating revision of the Board of Governors resolution dated January 12, 1979, concerning custody and management of institutional trust funds and special funds of individual institutions;

WHEREAS, the 2011 General Assembly enacted legislation, Session Law 2011-145 section 9.6E which provides that the Board of Governors adopt uniform policies applicable to the deposit, investment, and administration of institutional trust funds and that through the President, the Board of Governors may delegate authority to the chancellors.

NOW, THEREFORE, BE IT RESOLVED: That the following policies and procedures are hereby established for the administration of: institutional trust funds, as now defined in N.C.G.S. § 116-36.1 and special funds of individual institutions, as defined in N.C.G.S. § 116-36.2.

#### **I. General Provisions**

A. Funds not to substitute for state appropriations. Neither the funds covered by these policies and procedures nor the investment income therefrom shall take the place of state appropriations or any part thereof, but any portion of these funds available for general institutional purposes shall be used to supplement state appropriations to the end that the institution may improve and increase its functions, may enlarge its areas of service, and may become more useful to a greater number of people.

B. Presumption that receipts belong to the General Fund unless shown otherwise. Except as otherwise provided by or pursuant to law, all moneys received by or accruing to an institution shall be deemed institutional receipts within the meaning of the Executive Budget Act and shall be deposited with the State Treasurer to the credit of the General Fund unless the chancellor can



show that the moneys fall within one or more of the following general categories: (1) institutional trust funds, as defined in N.C.G.S. § 116-36.1. (2) special funds of the institution, as defined in N.C.G.S. § 116-36.2. (3) endowment funds, as defined in N.C.G.S. § 116-36. (4) funds subject to debt instruments containing special provisions with respect to the deposit of receipts pledged to secure such debt.

C. Accounting. The chancellor of each institution, with the approval of the State Controller, shall establish and maintain an accounting system for the funds covered by these policies and procedures in conformity with generally accepted principles of institutional accounting and in accordance with these policies and procedures.

D. Internal control. The chancellor of each institution shall institute internal control procedures with respect to the handling of funds covered by these policies and procedures that are necessary or desirable to prevent misappropriation or mishandling of the funds.

E. Preaudit of disbursements. No bill or claim against an institution to be charged to an account established here under may be paid unless it has been approved by the officer or employee authorized to initiate disbursements from that account. No bill or claim may be paid in any form other than a check or draft on an official depository of the institution or a warrant on the State Treasurer.

F. Facsimile signatures. The chancellor may authorize the use of facsimile signature machines or signature stamps in signing checks, drafts, and warrants.

## II. Institutional Trust Funds

A. Applicability. This Section II applies to moneys within the following categories:

1. moneys, or the proceeds of other forms of property, received by the institution as gifts, devises, or bequests that are neither presumed nor designated to be gifts, devises, or bequests to the endowment funds of the institution.

2. moneys received by the institution pursuant to grants from, or contracts with, the United States government or any agency or instrumentality thereof.

3. moneys received by the institution pursuant to grants from, or contracts with, any state agencies, any political subdivisions of the state, any other states or nations or political subdivisions thereof, or any private entities whereby the institution undertakes, subject to terms and conditions specified by the entity providing the moneys, to conduct research, training or public service programs.

4. moneys collected by the institution to support extracurricular activities of students of the institution.

5. moneys received from or for the operation by the institution of activities established for the benefit of scholarship funds or student activity programs.

6. moneys received from or for the operation by the institution of any of its self-supporting auxiliary enterprises, including institutional student auxiliary enterprise funds for the operation of housing, food, health, and laundry services.

7. moneys received by an institution in respect to fees and other payments for services rendered by medical, dental or other healthcare professionals under an organized practice plan approved by the institution or under a contractual agreement between the institution and a hospital or other health care provider.

8. moneys received from the disposition effected pursuant to Chapter 146, Article 7, of any interest in real property owned by or under the supervision and control of an institution if the interest in real property had first been acquired by gift, devise, or bequest or through expenditure of moneys defined in Section II.A. as 'trust funds', except the net proceeds from disposition of an interest in real property first acquired by the

institution through expenditure of moneys received as a grant from a state agency. (Chapter 529 of the 1981 Session Laws)

9. moneys received from operation and maintenance of institutional forests and forest farmlands, provided that such moneys shall be used, when used, by the institution for support of forest-related research, teaching, and public service programs.

10. moneys received from an activity authorized by G.S. 55-58(b)(8)m., n., and o;

11. moneys deposited to the State Education Assistance Authority Fund pursuant to G.S. 116-209.3; and

12. any other moneys collected by an institution as student fees previously approved by the Board of Governors.

B. Delegation of authority. The chancellor of each institution, under the supervision of the President, is charged with the custody and management of all moneys within the categories described in Section II.A. now held by or hereafter accruing to that institution in accordance with applicable laws of the State of North Carolina and these policies and procedures.

C. Agency Fund Authorities. The President is authorized to approve and transmit to the State Treasurer an agency fund authority for each institution receiving any of the moneys identified in Section II.A. This document shall contain the following information:

1. The name of the institution.
2. The categories of moneys as described in Section II.D. to be deposited in the fund.
3. The position or individual authorized to approve disbursements from the fund.

The fund authority shall constitute authorization for the State Treasurer to establish and administer such a fund in the name of the institution.

D. Institutional trust fund authorities. The President is authorized to approve for each institution for which an Agency Fund is established pursuant to Section II.C. one or more Institutional Trust Fund Authorities for each of the following categories as may be appropriate to that institution's operations:

1. Gifts, devises and bequests. This category comprises all receipts described in Section II.A.(1), including income derived from the investment of institutional trust fund balances and gifts and grants for student loans (including federal and state contributions).
2. Federal contracts, grants and agreements. This category comprises receipts described in Section II.A.(2), including receipts derived from the sale of surplus federal property originally purchased through a federal institutional trust fund.
3. Non-federal contracts and grants. This category comprises receipts described in Section II.A.(3) not properly includable in another category.
4. Student extracurricular activities. This category comprises receipts described in Section II.A.(4), including receipts from student activities fees established by the Board of Governors for the support of student organizations, student athletic and recreational activities (other than intercollegiate athletics), student entertainment, student publications and similar activities.
5. Institutional auxiliary enterprises and activities supporting scholarship funds and student activity programs. This category comprises receipts described in Section II.A.(5) and Section II.A.(6) from the operation of self-supporting service enterprises which exist primarily to furnish goods or services to students, faculty, or staffs and institutional

programs and for which charges or fees are related to the cost of the goods or services. By way of illustration but not limitation, these enterprises include the operation of housing, food, health, and laundry services, central stores, printing and duplicating services, student stores, student centers, athletic facilities, rental property, utilities systems, and similar operations, specifically including all operations whose profits are dedicated to scholarship support or specific student activity programs.

6. Fees for services of health care professionals. This category comprises receipts described in Section II.A.(7).

7. Dispositions of real property. This category includes receipts described in Section II.A.(8) of net proceeds from the disposal of any interest in real property belonging to an institution and acquired as described in Section II.A.(8).

8. Institutional forests and forest farmlands. This category includes receipts described in Section II.A.(9) of moneys received from operation and maintenance of institutional forests and forest farmlands and used, when used, in support of forest-related research, teaching, and public service programs.

9. Moneys received from an activity authorized by G.S. 66-58(b)(8)m., n., and o. This category includes receipts described in Section II.A.(10) of moneys derived from certain activities authorized by the referenced subsections of the Umstead Act.

10. Moneys deposited to the State Education Assistance Authority Fund pursuant to G.S. 166-209.3. This category includes receipts described in Section II.A.(11) of moneys from the operation of certain programs of the State Education Assistance Authority; and

11. any other moneys collected by an institution as student fees previously approved by the Board of Governors.

Each Institutional Trust Fund Authority shall contain the following information:

1. The name of the institution.
2. The source(s) of the moneys to be credited thereunto.
3. The purpose(s) for which the moneys credited thereunto may be used.
4. The position or individual authorized to receive moneys to be credited thereto and to disburse them.

Upon the approval of the President, the Institutional Trust Fund Authority shall be transmitted to the chancellor of the institution and a copy shall be filed among the permanent records of the President's office. When established as provided therein, the Institutional Trust Fund Authority shall constitute authorization for the institution to receive and disburse the moneys described therein in accordance with the purposes stated, subject to the provisions of G.S. 143-18.1 with respect to capital improvements projects.

E. **Subsidiary Account Authorities.** For each subsidiary account within one of the categories described in Section II.D., the chancellor is authorized to approve an account authority containing the following information:

1. The Institutional Trust Fund Authority within which the account is established.
2. The name of the account and its accounting designation.
3. The source of the moneys to be credited thereto.
4. The purpose of the account, including any specific restrictions, terms or conditions on the use of the moneys credited thereto.

5. The position or individual authorized to accept receipts and initiate disbursements from the account. Each account authority for institutional trust funds authorized by the chancellor shall be filed among the permanent records of his office and it shall constitute authorization for establishment and operation of the account in accordance with the purposes stated therein.

F. Deposit to and disbursement from institutional trust fund accounts. Except as provided in Section II.I., all moneys within the categories described in Section II.A. that are received by an institution shall be deposited with the State Treasurer in that institution's Agency Fund and credited to the appropriate Institutional Trust Fund and subsidiary account on the institution's books. Disbursement of such moneys shall be accomplished by warrant on the State Treasurer issued by the person designated in the Agency Fund Authority upon voucher or requisition of the person designated in the Institutional Trust Fund Authority or the subsidiary account authority as appropriate. No disbursement shall be made for a purpose not specified in the appropriate fund or account authority or contrary to any specific restrictions, terms or conditions on the use of the funds.

G. Allocation of investment income. Subject to any restrictions thereon, investment income credited to an institution's Agency Fund by the State Treasurer as provided in Section II.D. or earned through institutional investment and management may be used for institutional support purposes in such manner as the President, or chancellor, as applicable, shall approve.

H. Financial reports. If an institution has delegated authority pursuant to Policy 600.2.4.1, the institution shall report only as provided in section II.K.

I. Institutional Trust Funds under delegated authority. Any of the foregoing provisions of this Section to the contrary notwithstanding, funds, identified in Policy 600.2.4.1 shall be deposited in an official depository of the institution.

J. Investment of cash balances. Available cash balances shall be invested in interest bearing deposits and investments so that the rate of return equals that realized from the investment of state funds generally and shall otherwise be managed in the manner provided for in Section III.D, E, F, G, and H. Income earned on investment of funds shall be used, subject to any restrictions thereon, in such manner as may be prescribed further in the Institutional Trust Fund Authority.

K. Reports. If an institution has delegated authority pursuant to Policy 600.2.4.1, the chancellor shall report annual by September 30 to the President as of June 30 of each year, (i) the total balance of institutional trust and special funds invested outside of the Office of the State Treasurer; (ii) the balance broken down into sub-total by investment asset classes; and (iii) names of commercial cash management bank, investment custodian, and all investment managers including dollars under management and the type of investment asset classes handled by the manager. Beginning with the third annual report submitted to the President, the constituent institution shall include a rolling three-year average annual rate of return on institutional trust and special funds invested outside of the Office of the State Treasurer. Beginning with the fifth annual report, the constituent institution shall also include a rolling five-year average annual rate of return on the same funds, in addition to continuing to provide the rolling three-year average annual rate of return.

### III. Special Funds of Individual Institutions

A. Applicability. This Section III applies to moneys within the following categories:

1. moneys received from or for the operation by the institution of its program of intercollegiate athletics.
2. moneys held by the institution as fiscal agent for individual students, faculty, staff members, and organizations.

B. Account Authority. Effective January 15, 1979, a chancellor shall not authorize the creation or continuation of an account for special funds falling within any of the categories described in Section III.A. until he has established an account authority for that account. Upon approving an account authority for special funds, the chancellor shall file it among the permanent records of his office and it shall constitute authorization for establishment and operation of the account in accordance with the purposes stated therein.

C. Allocation of investment income. Income earned on investment of funds covered by this Section III shall be used, subject to any restrictions thereon, in such manner as may be prescribed in the account authority.

D. Fidelity bonding. Each officer, employee, or agent of an institution who handles or has in his custody any of the funds described in Section III.A., or who has access to physical inventories constituting assets of accounts established under this Section III, shall be covered by an individual or blanket fidelity bond with sufficient sureties payable to the institution.

E. Investment of idle funds.

1. An institution may deposit at interest or invest all or part of the cash balance of any account established under this Section III.

2. Moneys may be deposited at interest in any bank or trust company in this state in the form of certificates of deposit, savings accounts, or similar interest-bearing time deposits. Such deposits shall be secured as provided in Section III.G., provided, however; that deposits of an institution with delegated authority pursuant to Policy 600.2.4.1. shall not be required to be secured.

3. Moneys may be invested in any form of investment allowed by law to the State Treasurer any of the securities authorized by A RESOLUTION CONCERNING THE INVESTMENT OF UNIVERSITY FUNDS NOT REQUIRED FOR CURRENT USE adopted by the Executive Committee of the Board of Trustees of the University of North Carolina on March 14, 1969; or as proposed by the institution pursuant to Policy 600.2.4.1.

4. The institution may employ one or more fiscal agents for the purposes of this section.

F. Selection of depositories. The chancellor of each institution shall designate as the official depository of the institution one or more banks or trust companies in this state. No funds subject to this Section III shall be deposited in any place, bank or trust company other than an official depository, except as otherwise required by the terms of any debt instrument containing special provisions with respect to deposits.

G. Deposits to be secured. The amount of money on deposit in an official depository or deposited at interest pursuant to Section III.E. shall be fully secured by deposit insurance, surety bonds, or investment securities of such nature, in such amounts, and in such manner as is prescribed by the State Treasurer for the security of state funds generally, provided, however; that deposits of an institution with delegated authority pursuant to Policy 600.2.4.1 shall not be required to be secured.

H. Daily deposits. All receipts subject to this Section III shall be deposited daily. If the chancellor gives his approval, deposits shall be required only when the moneys on hand amount to as much as two hundred and fifty dollars (\$250.00), but in any event a deposit shall be made on the last business day of the week.

### **Contracts to Obtain the Services of a Consultant**

Pursuant to N.C.G.S. §143-64.24(8), the Board of Governors adopts the following policies and procedures governing contracts to obtain the services of a consultant by the constituent institutions and other units of the University of North Carolina.

- I. “Consulting services” shall mean work or task(s) performed by governmental entities or independent contractors possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis or advice in formulating or implementing improvements in programs or services. This includes but is not limited to the organization, planning, directing, control, evaluation, and operation of a program, agency, or department.
- II. The Chancellors, or the Chancellors’ designees, are authorized to approve contracts for consulting services to a constituent institution when the services are determined to be in the best interest of the University, and the amount is not above the constituent institution’s management flexibility purchasing benchmark.
- III. The University of North Carolina Vice President for Finance is authorized to approve contracts for consulting services above the constituent institution’s management flexibility purchasing benchmark.
- IV. Contracts for consulting services for a constituent institution shall be:
  - A. Consistent with all applicable policies and procedures adopted by the constituent institution for the procurement of services, including policies and procedures for personal and professional services, competitive bidding, and sole-source justifications.
  - B. Reported to the constituent institution’s Board of Trustees at least annually.
  - C. Reported to the University of North Carolina Vice President for Finance at least annually.
- V. Contracts for consulting services for other units of The University of North Carolina shall be:
  - A. Approved by the President or the President’s designee consistent with all applicable policies for the procurement of services including policies and procedures for personal and professional services, competitive bidding, and sole-source justifications.
  - B. Reported to the University of North Carolina Vice President for Finance at least annually.
- VI. Contracts for the use of individuals for instructional services, curriculum development, and conducting academically oriented research, formerly covered under Board of Governors Policy Guideline §600.5.4[G], remain exempt from the State Consulting Act, and are exempt from the reporting requirements of Sections IV and V of this Policy, but must comply with all applicable policies and procedures adopted by the constituent institution or other unit of the University of North Carolina for the procurement of academic and research consultant services.

### **Guidelines on the State Consulting Act**

The State Consulting Act, North Carolina General Statute § 143-64.20 through 143-64.24, created several problems regarding the administration of grants and contracts in support of academic programs involving instruction, research, and public service. Discussions between University officials and persons in the Division of Purchase and Contract resulted in the following understandings regarding the act.

1. "Consulting" means work or tasks performed by state employees or independent contractors possessing specialized knowledge, experience, expertise, and professional qualifications to investigate assigned problems or projects and to provide counsel, review, analysis, or advice in formulating or implementing improvements in programs or services. This includes but is not limited to the organization, planning, directing, control, evaluation, and operation of a program, agency or department.
2. The use of individuals for instructional services, curriculum development and conducting academically oriented research is exempt from the prescribed procedures. This exemption does not, however, include the use of consultants for the primary purpose of assisting administrators with management decisions.
3. In those cases where the sponsoring organization requires that subcontractors be named in the proposal and such subcontractors are not exempt by the above criteria, approval must be obtained from the division of purchase and contract before the proposal is submitted.
4. All responsible efforts will be made to keep the time for responding to requests for approval of the employment of consultants to less than thirty days from the filing of the request.
5. Members of the University Council on Research will serve as a principal source of information for faculty at the constituent institutions and persons in the division of purchase and contract for the purpose of implementing the State Consulting Act. These University officials will assist persons preparing proposals, whenever necessary, in following required procedures. Furthermore, they will assist the Division of Purchase and Contract in identifying persons and/or departments that may be available for consulting with agencies and State government.

The President has authorized the chancellors, or the chancellors' designated representative, to approve consulting contracts. Particular note should be made of N.C.G.S. § 143-64.23 which states that "No disbursement of State funds shall be made and no such contract shall be binding until the provisions of N.C.G.S. §§ 143-64.21 and 143-64.22 have been complied with. Any employee or official of the State of North Carolina who violates this article shall be liable to repay any amount expended in violation of this article, plus court costs."

[This is a rewrite of Administrative Memorandum #155 dated June 30, 1981.]



### **Regulations Relative to Trust Fund Legislation**

In 1978 the General Assembly passed legislation which addressed the custody and management of federal and other nonappropriated funds held by the University. The legislation identified three specific categories of nonappropriated funds and directed the Board of Governors to adopt uniform policies and procedures for administration of these funds. The three categories of funds addressed in the legislation were identified as institutional trust funds, special funds of individual institutions, and institutional student auxiliary enterprise funds. On January 12, 1979, the board adopted a resolution which established administrative policies and procedures in accordance with the requirements of the 1978 legislation.

In 1990 the General Assembly enacted legislation which expanded the definition of "institutional trust funds" to include institutional student auxiliary enterprise funds and funds received from the operation and maintenance of institutional forest and forest farmlands, thereby necessitating a revision of the Board of Governors' resolution of January 12, 1979. On February 8, 1991, the board adopted the foregoing resolution which revises established policies and procedures concerning the custody and management of institutional trust funds and special funds of individual institutions.

Due to this expanded definition of institutional trust funds, the board's resolution of February 8, 1991 now addresses only two categories of federal and other nonappropriated funds which are identified as follows.

1. Institutional Trust Funds. The Board of Governors is charged with custody and management of these funds. The following receipts are included in this category: gifts, devises, and bequests; federal contracts, grants, and agreements; nonfederal contracts and grants; student extracurricular activities; activities supporting scholarship funds and student activity programs; self-supporting auxiliary enterprises, including institutional student auxiliary funds for the operation of housing, food, health and laundry services; fees for services of healthcare professionals; proceeds from disposition of real property; and institutional forests and forest farmlands. With the exception of fees for services of healthcare professionals, these funds are to be deposited with the State Treasurer.
2. Special Funds of Individual Institutions. The chancellor of each institution is responsible for custody and management of the special funds of that institution. The following receipts are included in this category: intercollegiate athletic program receipts; and funds held by the institution as fiscal agent for individual students, faculty, staff members, and organizations. These funds are to be deposited in an official depository of the institution.

With respect to funds cited in Section II.A. (6), (8), and (9) of the foregoing Board of Governors' resolution, the following schedule has been established for implementing the board's regulations.

1. The transfers of all cash balances from Auxiliary Enterprise Funds (budget code 560XX) to Institutional Trust funds (budget code 060XX) should have been completed as directed by the State Controller's memorandum No. 90-19 dated August 1, 1990. This memorandum is provided as an attachment to *Chart of Accounts Memorandum No. 40*.
2. On or before March 1, 1991, the chancellor of each institution shall forward a request for approval, by the President, of an agency fund authority as identified in Section II.C. of the resolution and such institutional trust fund authorities as may be required by the institution as identified in Section II.D. of the resolution. The formats for these fund authorities are provided as attachments to *Chart of Accounts Memorandum No. 40*. The chancellor's request should be accompanied by a complete list of all accounts in the chancellor's possession or under the chancellor's direct control as of July 1, 1990, which contain any institutional trust funds as defined in Section II.A. (6),(8), and (9) of the board's resolution. This inventory shall be organized in the categories as described in Section II.D. of the resolution and for each separate account shall show the following information.



- (1) The name of the account and its accounting designation.
  - (2) The amount of cash and investments in each account as of the date of the inventory.
3. The institution will proceed simultaneously to establish any required subsidiary account authorities, as identified in Section II.E. of the resolution, which must be approved by the chancellor and to modify the internal accounting systems and procedures of the institution to the end that all requirements of the regulations are met no later than March 1, 1991.

A uniform format for a quarterly report on Institutional Trust Funds financial activity has been developed and is provided in a set of guidelines attached to *Chart of Accounts Memorandum No. 40*. Also, definitions of Institutional Trust Fund receipts categories have been prepared in order to achieve uniformity in the classification and reporting of receipts. These definitions are also included in the guidelines.

[This is a rewrite of Administrative Memorandum #302.]

## Appendix B

### The University of North Carolina

#### Request for Authorization to Plan a New Doctoral or First Professional Degree Program

THE PURPOSE OF ACADEMIC PROGRAM PLANNING: Planning a new academic degree program provides an opportunity for an institution to make the case for need and demand and for its ability to offer a quality program. Authorization to plan and the planning activity to follow do not guarantee that authorization to establish will be granted. Requests (5 copies) may be submitted in accord with the schedule announced by General Administration. As of January 1, 2010 submission of proposals will be electronic.

Date: \_\_\_\_\_

Constituent Institution:

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CIP Discipline Specialty Title:

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CIP Discipline Specialty Number: \_\_\_\_\_ Level: D \_\_\_\_\_ 1<sup>st</sup> Prof. \_\_\_\_\_

Exact Title of the Proposed Program:

---

Exact Degree Abbreviation (e.g. Ph.D., Ed.D.):

---

Does the proposed program constitute a substantive change as defined by SACS? Yes\_\_\_\_ No\_\_\_\_

a. Is it at a more advanced level than those previously authorized? Yes\_\_\_\_ No\_\_\_\_

b. Is the proposed program in a new discipline division? Yes\_\_\_\_ No\_\_\_\_

Approximate date for submitting the Request to Establish proposal (must be within one year of the date of submission of notification of intent to plan):

---

Proposed date to establish degree: *month* \_\_\_\_\_ *year* \_\_\_\_\_ (Date can be no sooner than six months after the date of notification of intent to plan and must allow at least three months for review of the request to establish, once submitted.)

1. Describe the proposed new degree program. The description should include:
  - a. a brief description of the program and a statement of educational objectives.
  - b. the relationship of the proposed new program to the institutional mission and how the program fits into the institution's strategic plan and its response to UNC Tomorrow.
  - c. the relationship of the proposed new program to other existing programs at the institution.
  - d. special features or conditions that make the institution a desirable, unique, or appropriate place to initiate such a degree program.

2. List all other public and private institutions of higher education in North Carolina currently operating programs similar to the proposed new degree program.
3. Estimate the number of students that would be enrolled in the program during the first year of operation: *Full-Time*\_\_\_\_\_ *Part-Time*\_\_\_\_\_; the number of students that would be enrolled in the program when it is fully operational:  
*Full-Time*\_\_\_\_\_ *Part-Time*\_\_\_\_\_.
4. Estimate the current and projected demand for graduates of the proposed new degree program. Provide documentation about the sources of data used to estimate demand.
5. If there are plans to offer the program away from campus during the first year of operation:
  - a. briefly describe these plans, including potential sites and possible method(s) of delivering instruction.
  - b. indicate any similar programs being offered off-campus in North Carolina by other institutions (public or private)
  - c. estimate the number of students that would be enrolled in the program during the first year of operation: *Full-Time* \_\_\_\_\_ *Part-Time* \_\_\_\_\_
6. Describe the procedures to be used to plan the proposed program. List the names, titles, e-mail addresses and telephone numbers of the person(s) responsible for planning the proposed program.
7. Describe the method of financing the proposed new program (e.g., potential sources of funding) and indicate the extent to which additional state funding may be required.

This intent to plan a new program has been reviewed and approved by the appropriate campus committees and authorities

Chancellor\_\_\_\_\_

# THE UNIVERSITY OF NORTH CAROLINA

## POLICY MANUAL



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### *THE CODE AND POLICIES OF THE UNIVERSITY*

#### Chapter 100

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