

Delegation of Authority to the President

I. Pursuant to N.C.G.S. §116-11(13) and other North Carolina law as referenced herein, and notwithstanding *The Code* or any other Board of Governors policy,¹ the Board of Governors delegates the following authorities to the president of the University:

A. Human Resources

1. Authority to establish and administer a human resources program for employees exempt from the State Human Resources Act (N.C.G.S. Chapter 126).

a. “Human resources program” shall include such personnel actions related to the establishment of positions and the administration of salary ranges; recruitment, appointments, salaries, and salary adjustments; promotion and tenure; leave programs; performance management; non-faculty discontinuation, discipline, and discharge; and non-faculty grievance and appeals processes (§300.1.1, §300.1.2, and §300.2.1).

b. The president may approve management flexibility plans for Special Responsibility Constituent Institutions and may delegate limited authority for human resources actions to constituent institutions that are not authorized as Special Responsibility Constituent Institutions (§600.3.4).

c. Notwithstanding the above provisions, unless otherwise delegated:

(1) The Board of Governors shall retain authority over the appointments and compensation for the president, for the chancellors of the constituent institutions, for the chief executive officer of the UNC Health Care System, and for the UNC-TV executive director and general manager. (§300.1.1, *The Code* §500, N.C.G.S. §116-37(c), *The Code* §900, N.C.G.S. §116-37.1(c), and §1200.1).

(2) The Board of Governors shall retain authority over certain contract terms for athletic directors and head coaches of the constituent institutions (§1100.3).

(3) The president shall consult with the Board’s Committee on Personnel and Tenure on appointments and compensation for the senior officers of the UNC General Administration who report directly to the president.

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

(4) The Board of Governors shall retain authority over adjustments to base salary for permanent faculty and for employees exempt from the State Human Resources Act when the proposed amount (1) exceeds the established salary range or (2) exceeds twenty-five percent (25%) and twenty-five thousand dollars (\$25,000) of the compensation in effect at the end of the last fiscal year.²

2. Authority to approve all actions relating to the administration of the Optional Retirement Program (N.C.G.S. §135-5.1) and the Phased Retirement Program (§300.7.2).

3. The president shall report in writing on actions taken under the authority of these delegations to the appropriate committee of the Board of Governors no less than annually, or as otherwise requested by the chair of the Board of Governors or the chair of the Committee on Personnel and Tenure.

B. Governance

1. 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)

2. The authority to settle potential or pending litigation 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)

3. Authority to approve the political activities of employees of the University who are candidates for or serving in public office (§300.5.1).

C. Reports

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 or federal agency or officer.

D. Real Property

1. Except as authorized by b. below, authority to approve leases with at least \$50,000³ 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]).

2. 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

² The Board approved further authority delineations at the April 2015 meeting, *see* “Resolution to Delegate Limited Authority for Approval of Salary Adjustments to the President,” and reaffirmed in March 2016 “Resolution of the Board of Governors Review and Approval of Proposed Salary Adjustments.”

³ 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].

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. (N.C.G.S. §116-31.12, and §600.1.3.1 and 600.1.3.1[R]).

3. 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]).

4. 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).

E. Institutional Trust Funds

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

II. The president will report all actions taken under the authority of the delegations in sections I.B. through I.E. 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.

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