



**RESOLUTION OF THE BOARD OF TRUSTEES OF
THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS**

RESTATEMENT OF DELEGATIONS OF BOARD OF TRUSTEES AUTHORITY

WHEREAS, the Board of Trustees of The University of North Carolina School of the Arts (Board of Trustees) has a duty to promote the sound development of The University of North Carolina School of the Arts (University) within the functions prescribed for it, helping it to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every endeavor;

WHEREAS, the Board of Trustees serves as an advisor to the Board of Governors on matters pertaining to the University and serves as an advisor to the Chancellor of the University (Chancellor) concerning the management and development of the University;

WHEREAS, the Board of Trustees' powers and duties are defined by the Board of Governors through the Board of Governors delegating certain authorities and responsibilities to the Board of Trustees;

WHEREAS, the Board of Governors' approval of the "Resolution to Amend and Restate Constituent Institution Board of Trustees Delegations" on July 22, 2021, directs each board of trustees of the constituent institutions to identify and restate in one binding resolution all instances in which the board of trustees of the constituent institution has delegated all or some of its delegated authority from whatever source to any committee, person, agency, or entity;

NOW THEREFORE, the Board of Trustees restates the following delegations of authority or affirms inherent authority as follows:

1. Delegations of Authority to Chancellor

In addition to the duties, responsibilities, and authorities assigned to the Chancellor by the Board of Governors through Section 502 of The Code of The University of North Carolina, the Board of Trustees hereby delegates to the Chancellor full authority, or affirms the Chancellor's inherent authority as follows:

- (a) To affirm that the UNCSA Policy Manual distinguishes retained and delegated authority to the Chancellor by classifying Policies as those directives where the Board retains authority, and Regulations, Procedures, and Rules where the Board has delegated authority to the Chancellor, or the authority was separately authorized by policy or statute. (001. Statement on Policies, Attachment A)
- (b) To affirm that the source of authority, the hierarchy, and classifications of Policies, Regulations, Procedures, and Rules are clarified in Policy Manual 001 Statement on Policies, and in addition, the headings of the Policies and Regulations state the source of authority and the revision authority for each UNCSA Policy and Regulation.
- (c) To affirm the delegations and processes in Section V of the Policy Manual 001 Statement on Policies:
 - i. The Board of Trustees delegates to the Chancellor the authority to approve Regulations in any area not specifically delegated to the Board of Trustees, unless prohibited or superseded by Federal or State law, or Board of Governors Policy.
 - ii. Regulations approved under the authority of the Chancellor may be implemented without approval from the Board of Trustees.

- iii. The Chancellor shall provide the Board of Trustees a summary of each Regulation approved annually.
 - iv. Schools, divisions, and departments may develop internal Rules, under delegated authority from the Chancellor, applicable exclusively within the particular school, division, or department.
 - v. Internal Rules and Rule Procedures may not conflict with or supersede applicable Federal and State laws, Policies of the Board of Governors, the Board of Governors Code, or UNCSA Policies, Regulations, and Procedures established by the Board of Trustees or the Chancellor.
 - vi. The Dean or relevant Vice Chancellor may approve Rules and Rule Procedures and all subsequent modifications, subject to approval by the Chancellor.
- (d) To approve the following personnel actions for employees who are not subject to the State Human Resources Act:
- (i) Personnel appointments, promotions and compensation decisions, as provided in University Policy 617, for faculty, other professionals exempt from the State Personnel Act (“EHRA”) as defined in UNC Policy § 300.2.1, Deans and other Senior Academic and Administrative Officers as defined in UNC Policy § 300.1.1 Article I.A (SAAO I) in positions for which the Board of Governors does not establish salary ranges, and all Senior Academic and Administrative Officers as defined in UNC Policy § 1.1 Article I.B (SAAO II);
 - (ii) Appointments and compensation of EHRA positions pursuant to the Personnel Management Flexibility granted to the University by the Board of Governors;
 - (iii) Leaves of absence without pay, except leaves requested in conjunction with political candidacy or office-holding, or leaves

requested by Tier I Senior Administrative Officers (as identified in University Policy 625); and

- (iv) Resignations, retirements, and the grant of emeritus status.
- (e) To determine whether an individual student shall be entitled to receipt of a particular grade or degree, and to confer degrees on students so entitled on behalf of the Board of Trustees.
- (f) To resolve individual admission questions for all schools within the institution.
- (g) To serve on behalf of the Board of Trustees as the final appellate authority for the University for any appeal of a policy, action, or decision related to the approval of organized, institutionally recognized systems of student self-government or student participation in the governance of any aspect of the institution's programs or services.
- (h) To cause to be collected from each student, at the beginning of each semester or term, tuition, fees, and other amounts necessary to pay other expenses for the term as have been approved by the Board of Governors; to require the payment of such advance deposits at such times and under such conditions as may be required by State law or by the Board of Governors; and to require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required by State law or by the Board of Governors.
- (i) To acquire and dispose of an interest in real property valued at less than fifty thousand dollars (\$50,000), or as may be otherwise be set forth in Policy 600.1.3 of The University of North Carolina Board of Governors. The value of an interest in real property shall, with respect to a leasehold or rental interest, be deemed the annual rental value.
- (j) Without further supporting documents, to sign or to designate in writing authorized signatures for the various funds and accounts held with various banking and investment institutions; to sign or to designate in writing authorized signatures for any and all other financial documents requiring the

signatures of an authorized official of the University; and, without further supporting documents, to sell, exchange, assign, or transfer stocks, bonds, or other securities of corporations, firms, or individuals, of the United States government or of any State or political subdivision thereof, and to assign for re-issue or redemption any registered obligations of the United States government and its instrumentalities that are owned by the University.

- (k) To sign and execute, or to designate University employees to sign and execute, agreements, contracts, leases, and other official documents with institutions, agencies, corporations, partnerships, individuals, and other legal entities, including all such agreements not required by law or administrative regulation to be otherwise executed; provided, however, that such agreements shall comply with the law of North Carolina, especially North Carolina General Statutes Chapters 143 and 146, when applicable, and with The Code of The University of North Carolina, and policies and regulations determined by the Board of Governors or the Board of Trustees. Campus officials designated by the Chancellor to sign official documents on behalf of the University as of the date of this Resolution are provided in University Regulation 109 (Attachment B).
- (l) To establish a Department of Police and Public Safety, and enter into written agreements with such other entities as the Chancellor deems appropriate, providing the general terms and conditions under which the University may temporarily provide or receive law enforcement assistance to such entities, as contemplated in North Carolina General Statutes 160A-288.
- (m) To establish and approve, or to further delegate to the University's Provost the authority to establish and approve, departmental and art school standards related to initial appointment, reappointment, and promotion of faculty members, supplemental to and consistent with The Code of The University of North Carolina and the University's Policies, Regulations, and Procedures.

- (n) To establish University regulations, procedures, and rules to implement or supplement University policies established by the Board of Trustees or policies established by the Board of Governors, unless the Board of Governors requires action by the Board of Trustees. University Policy 001 Statement on Policies establishes the delegation and retention of authority for establishing policies, regulations, and rules.
- (o) To serve on behalf of the Board of Trustees as a final appellate authority for the University for any claim related to a matter of student conduct and discipline, except as specifically provided in the delegations to the Academic and Student Affairs Committee for Major Case Infractions.
- (p) To serve on behalf of the Board of Trustees as a final appellate authority for the University for any grievance of a faculty member, staff member or student, unless a policy of the Board of Governors or a delegation of the Board of Trustees requires otherwise.
- (q) To approve appointments and salary actions for employees exempt from the State Human Resources Act consistent with Personnel Management Flexibility and Expanded Authority for Certain Salary Actions granted to the University by the Board of Governors.
- (r) To exercise any authority or carry out any responsibilities specifically listing the Chancellor under the “Delegation” or “Sub-Delegation” headings of the Board of Trustees Delegated Authority Table. (Attachment C)
- (s) To delegate to such other administrators or bodies as the Chancellor deems appropriate such authority of the Board of Trustees as is delegated to the Chancellor, to the extent permitted by state law or by Board of Governors regulation or policy.

2. All Other Authority Reserved for the Board of Trustees

Notwithstanding any other provision authorized by the Board of Trustees, all authority that has been delegated to the Board of Trustees and has not been expressly identified and further delegated in this Resolution is vested in the authority of the Board of Trustees.

3. Effective Date

This Resolution shall be effective upon its adoption.



Ralph H. Womble, Chair
UNCSA Board of Trustees

October 28, 2021

Date