

**RESOLUTION OF THE
BOARD OF TRUSTEES OF
WESTERN CAROLINA UNIVERSITY
TO
AMEND AND RESTATE DELEGATED AUTHORITY FROM THE UNIVERSITY OF
NORTH CAROLINA BOARD OF GOVERNORS**

WHEREAS, the Board of Trustees of Western Carolina University (*Board of Trustees*) has a duty to promote the sound development of Western Carolina University (*University* or *WCU*) 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 WCU and serves as an advisor to the Chancellor concerning the management and development of WCU;

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;

WHEREAS, if deemed acceptable and approved by the Board of Trustees, this "Resolution of the Board of Trustees of Western Carolina University to Amend and Restate Delegated Authority from the University of North Carolina Board of Governors" shall be reviewed and, if acceptable, approved by the President and returned to the Board of Trustees for final adoption prior to November 01, 2021.

NOW THEREFORE, the Board of Trustees restates the following delegations of authority:

- I. Pursuant to N.C.G.S. § 116-31.10, the Board of Governors has delegated to the Board of Trustees authority to execute certain purchasing contracts without the Board of Governors' approval, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws attached as Exhibit A and incorporated by reference. The Chancellor has further delegated this authority to campus administrators as outlined in University Policy 62 Contract Review and Execution attached as Exhibit B and incorporated by reference.

- II. Pursuant to N.C.G.S. § 116-36(a) and UNC Policy Manual 600.2.1 (Endowment Funds), the Board of Governors has delegated to the Board of Trustees authority to establish and maintain an endowment fund for WCU, and the Board of Trustees delegates this authority to the Board of Trustees for the Endowment Fund of Western Carolina University pursuant to the Board of Trustees' operating Bylaws.
- III. Pursuant to N.C.G.S. § 116-40.5, the Board of Trustees has the authority to enter into joint agreements with local jurisdictions to extend law enforcement jurisdiction, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Chief of University Police.
- IV. Pursuant to N.C.G.S. § 116-40.22(b), the Board of Trustees has the authority to appoint and fix the compensation of all SAAO Tier 2 positions at the institution, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Executive Council and the Associate Vice Chancellor for Human Resources and Payroll.
- V. Pursuant to N.C.G.S. § 116-40.22(d), the Board of Trustees has the authority to establish policies and rules governing the planning, acquisition, implementation, and delivery of information technology and telecommunications at the institution, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating bylaws. The Chancellor has further delegated this authority to the Chief Information Officer.
- VI. Pursuant to N.C.G.S. § 116-44.4, the Board of Trustees maintains the authority to regulate traffic and parking on campus, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.
- VII. Pursuant to N.C.G.S. § 116-143(b) and *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section IX*, the Board of Trustees has been delegated the authority to establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.

- VIII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section I(A)(1)*, the Board of Trustees has been delegated the authority to adopt personnel policies not otherwise prescribed by state law, the Code, or policies of the Board of Governors, for personnel in all categories of university employment, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Associate Vice Chancellor for Human Resources and Payroll.
- IX. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section III*, the Board of Trustees has been delegated the authority to determine whether an individual student shall be entitled to receipt of a particular degree, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Academic Affairs.
- X. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section III*, the Board of Trustees has been delegated the authority to determine what grade an individual student will be assigned in a particular course, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Academic Affairs and the faculty of WCU.
- XI. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section VI*, the Board of Trustees shall have the authority to issue final acceptance of all completed buildings and projects, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.
- XII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section VI*, the Board of Trustees may authorize a disposition of any interest in real property other than a leasehold with a value less than \$500,000, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.
- XIII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section VI*, the Board of Trustees may authorize an acquisition or disposition of a leasehold interest in real property with an annual value of less than \$500,000 and a term of not more than 10 years, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.

- XIV. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section VII*, the Board of Trustees has been delegated the authority for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future, for the benefit of the individual constituent institution, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws.
- XV. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section VIII*, the Board of Trustees has been delegated the authority to establish admissions policies and resolve individual admission questions, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Student Affairs.
- XVI. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section IX*, the Board of Trustees has been delegated the authority to cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.
- XVII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section IX*, the Board of Trustees has been delegated the authority to require the payment of such advance deposits, at such times and under such conditions as it determines are appropriate or as may be required by state law or by the Board of Governors, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.
- XVIII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section IX*, the Board of Trustees has been delegated the authority 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, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees' operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.

- XIX. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section X*, the Board of Trustees has been delegated the authority to administer, pursuant to Board of Trustees' regulations and subject to the terms and any applicable laws and policies of the Board of Governors, all scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.
- XX. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section XI*, the Board of Trustees has been delegated the authority to determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Academic Affairs, Vice Chancellor for Student Affairs, Vice Chancellor for Administration and Finance, and the Athletic Director as appropriate.
- XXI. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section XII*, the Board of Trustees has been delegated the authority to formulate policies regarding the regulation and approval of organized, institutionally recognized student activities; the definition of roles and functions of any institutionally recognized system of student self-government; and student participation in the governance of any aspect of the institutional programs and services, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Academic Affairs and the Vice Chancellor for Student Affairs.
- XXII. Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1, Section XVI*, the Board of Trustees has been delegated the authority and responsibility for the adoption of policies applicable to and the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities, and child development centers, and the Board of Trustees delegates this authority and responsibility to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority and responsibility to the Vice Chancellor for Administration and Finance and the Vice Chancellor for Student Affairs.

- XXIII. Pursuant to the UNC Policy Manual 300.1.1 (Policy on Senior Academic and Administrative Officers), the Board of Trustees has been delegated the authority to make appointments and determine salaries for SAAO Tier II defined positions, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating bylaws. The Chancellor has further delegated this authority and responsibility to the Executive Council membership and the Associate Vice Chancellor for Human Resources and Payroll.
- XXIV. Pursuant to the UNC Policy Manual 300.1.2 (Evaluation of Positions for Designation as Senior Academic and Administrative Officer), the Board of Trustees has been delegated the authority to make appointments and determine salaries for SAAO Tier II defined positions, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating bylaws. The Chancellor has further delegated this authority and responsibility to the Executive Council membership and the Associate Vice Chancellor for Human Resources and Payroll.
- XXV. Pursuant to the UNC Policy Manual 300.2.14 (Non-Salary and Deferred Compensation), the Board of Trustees has been delegated the authority to approve the granting of non-salary compensation for all personnel exempt from the State Personnel Act, with the exception of the Chancellor, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.
- XXVI. Pursuant to the UNC Policy Manual 500.2 (Patent Copyright Policies), the Board of Trustees has been delegated the authority to adopt patent procedures consistent with UNC Policy Manual 500.2, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws.
- XXVII. Pursuant to the UNC Policy Manual 600.1.1 (Policy on Design, Construction, and Financing of Capital Improvement Projects), the Board of Trustees has been delegated the authority to approve capital improvement projects that are funded entirely with non-General Fund money that are projected to cost less than \$750,000, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws and the September 6, 2019 Delegation of Authority Action by the Finance and Audit Committee of the WCU Board attached as Exhibit C and incorporated by reference. The Chancellor has further delegated this authority to the Vice Chancellor for Administration and Finance.
- XXVIII. Pursuant to the UNC Policy Manual 600.1.3 (Policy on Authority for Real Property Transactions), the Board of Trustees has been delegated the authority to acquire and dispose of an interest in real property other than a lease if valued at less than \$1,000,000, and/or, consistent with N.C.G.S. § 116-31.12, to acquire and dispose of real property by lease if the lease is valued annually at less than \$750,000 and has a term of not more than 10 years, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Board of Trustees operating Bylaws. The Chancellor has further delegated this authority and responsibility to the Vice Chancellor for Administration and Finance.

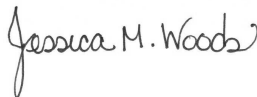
- XXIX. Pursuant to the UNC Policy Manual 600.3.4 (Granting of Management Flexibility to Appoint and Fix Compensation), the Board of Trustees has been delegated the authority to execute the following personnel actions for faculty and EHRA non-faculty instructional, research, and public service (IRPS) employees: (1) permanent and temporary appointments and salaries; (2) promotion, including faculty rank changes but excluding tenure; and (3) permanent and temporary salary increases or stipends, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Campus Management Flexibility Plan attached as Exhibit D, incorporated by reference, and the Resolution of the Board of Trustees of WCU to Delegate Expanded Authority to the Chancellor for Certain Salary Actions for Employees Exempt from the State Human Resources Act attached as Exhibit E and incorporated by reference. The Chancellor has further delegated this authority to those campus administrators as identified in the Campus Management Flexibility Plan.
- XXX. Pursuant to the UNC Policy Manual 600.3.4 (Granting of Management Flexibility to Appoint and Fix Compensation), the Board of Trustees has been delegated the authority for the establishment of faculty salary ranges within different academic disciplines, based on relevant data, and the Board of Trustees delegates this authority to the Chancellor pursuant to the Campus Management Flexibility Plan, which is attached hereto and incorporated by reference. The Chancellor has further delegated this authority and responsibility to the Executive Council membership, as described in the WCU Management Flexibility Plan, and the Associate Vice Chancellor for Human Resources and Payroll.
- XXXI. Pursuant to the UNC Policy Manual 700.1.1 (Policy on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System), the Board of Trustees has been delegated the authority to set admission requirements that exceed the minimums established in UNC Policy Manual 700.1.1, and the Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Director of Undergraduate Admissions.
- XXXII. Pursuant to the UNC Policy Manual 700.1.1.1[R] (Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System), the Board of Trustees has been delegated the authority to approve policies describing the admission of students requiring special consideration with regard to MCR for students for whom Chancellor's exceptions are made, and the Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Director of Undergraduate Admissions.
- XXXIII. Pursuant to the UNC Policy Manual 700.1.1.1[R] (Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System), the Board of Trustees has been delegated the authority to approve admissions requirements that exceed minimums established by the Board of Governors, and the Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Director of Undergraduate Admissions.

- XXXIV. Pursuant to the UNC Policy Manual 700.1.1.2[R] (Regulation on Transfer Student Admission), the Board of Trustees has been delegated the authority to approve policies describing the admission of transfer students for whom exceptions are made to MCR and/or MAR, and the Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Director of Undergraduate Admissions.
- XXXV. Pursuant to UNC Policy Manual 1000.2.2.1[R] (Regulation on the Waiver of Tuition and Fees for Faculty and Staff), the Board of Trustees has been delegated the authority to implement WCU policy regarding the waiver of fees associated with the waiver of tuition for WCU employees associated with the implementation of UNC Policy Manual 1000.2.2 and UNC Policy Manual 1000.2.2.1[R], and the Board of Trustees delegates this authority to the Chancellor.
- XXXVI. Pursuant to the UNC Policy Manual 1400.1 (Information Technology Governance), the Board of Trustees has been delegated the authority for oversight of IT governance, as described in UNC Policy Manual 1400.1, and the Board of Trustees delegates this authority to the Finance and Audit Committee of the Board of Trustees.
- XXXVII. Pursuant to the UNC Policy Manual 1400.2 (Information Security), the Board of Trustees has been delegated the authority for oversight of Information Security program, as described in UNC Policy Manual 1400.2, and the Board of Trustees delegates this authority to the Finance and Audit Committee of the Board of Trustees.
- XXXVIII. 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, including authority described in the attached Exhibit F, and further delegated in this resolution is hereby vested in the authority of the Board of Trustees.

BE IT RESOLVED, on this 29 day of October, 2021, that this Board of Trustees hereby approves the delegations listed above.



Bob Roberts,
Chairman of the Board of Trustees



Jessica Woods.
Assistant Secretary to the Board of Trustees

(Adopted September 5, 1974)
(Revised May 7, 1996)
(Revised December 4, 1996)
(Revised June 4, 1997)
(Revised December 2, 1998)
(Revised March 1, 2000)
(Revised June 2, 2006)
(Revised September 1, 2006)
(Revised September 4, 2009)
(Revised September 3, 2010)
(Revised December 4, 2015)
(Revised June 3, 2016)
(Revised June 2, 2017)
(Revised June 1, 2018)

BY-LAWS
of
THE BOARD OF TRUSTEES
WESTERN CAROLINA UNIVERSITY

ARTICLE I
Powers and Duties of the Board

Section I.

A. General Powers

1. The general powers and duties of the Board of Trustees of Western Carolina University (hereinafter "Board") are prescribed by these Bylaws, The Code of the Board of Governors of The University of North Carolina (hereinafter "The Code"), including Appendix 1 of The Code, "Delegations of Duty and Authority to Boards of Trustees", The University of North Carolina ("UNC") Policy Manual, and the General Statutes of the State of North Carolina. The provisions set forth in these Bylaws may not in any event be inconsistent with the requirements of The Code, the UNC Policy Manual, and the General Statutes of the State of North Carolina.
2. The Board shall promote the sound development of Western Carolina University (hereinafter "University") within the functions prescribed for it, helping it to serve

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 area of endeavor. The Board shall serve as advisor to the Board of Governors on matters pertaining to the institution and shall serve as advisor to the Chancellor concerning the management and development of the institution. [G.S. 116-33]

B. General Duties

1. Personnel Matters – Appointments and Discontinuation of SAAO Appointments

- a. The Chancellor, the Provost, the Vice Chancellors, the Deans, and the directors of major administrative educational, research and public services activities, specifically the Chief of Staff, the Athletic Director, the Chief Information Officer, and the General Counsel are the University's Tier I Senior Academic and Administrative Officers ("SAAOs"). With the exception of the Chancellor, the appointments of Tier I SAAOs are subject to the approval of the Board. The continuance in office of Tier I SAAOs shall be determined by the Chancellor.

2. Personnel Policies

- a. The Board may adopt personnel policies not otherwise prescribed by and not inconsistent with State law, The Code, or UNC Policy Manual for personnel in all categories of University employment.

3. Chancellor Selection

- a. In the event of a vacancy in the Chancellorship, the Chair of the Board of Governors shall, in consultation with the UNC President and the Chair of the Board, designate a member of the Board of Governors to serve on the search committee in a non-voting, advisory capacity as the Board of Governors' representative. The Chair of the Board shall establish a search committee in consultation with the UNC President. The search committee shall be composed of: (1) representatives of the Board, University faculty, student body, staff, alumni, and such other representatives of University constituencies as may be appropriate; (2) the Board of Governors' representative; and (3) in consultation with the Board of Governors' representative, one or two individuals recommended by the Board of Governors members for possible service on the search committee.
- b. In accordance with UNC Policy 200.8, the Board of Governors' representative shall collaborate with the UNC President and the Chair of the Board in developing a matrix of skills and backgrounds to be represented among the members of the search committee. The Board of Governors' representative shall refrain from actively participating in interviews of candidates and in search committee deliberations regarding candidates.

- c. Upon the establishment of the search committee, the Chair of the Board, in consultation with the UNC President, shall establish a budget and identify staff for the search committee.
- d. Members of the Board of Governors may elect to receive public notices of search committee meetings and open forums in the search process. The Chair of the Board shall ensure that the UNC President receives periodic updates concerning the status of the search.
- e. The search committee shall recommend an unranked slate of three (3) candidates to the Board for consideration. Following consideration of the recommendations of the search committee, the Board shall recommend the unranked slate of three (3) candidates to the UNC President or return the slate to the search committee for further action. Following consideration of the recommendations, the UNC President may either nominate one (1) candidate to the Board of Governors or return the slate to the Board with instructions for further action.

4. Academic Programs

- a. The Board shall be responsible for insuring the University's compliance with the educational, research, and public service roles assigned to it by The Board of Governors, either by express directive or by promulgated long-range plans of The Board of Governors.

5. Honorary Degrees, Awards, and Distinctions

- a. The Board shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution.
- b. The Trustees' Award is established to recognize individuals for exemplary service to or support of the University. Any trustee may recommend potential recipients to the Administration, Governance and Trusteeship Committee for consideration and recommendation to the Board.

6. Budget Administration

- a. The Board shall advise the Chancellor with respect to the development of budget estimates and with respect to the execution and administration of the budget as approved.

7. Property and Buildings

- a. Construction of Buildings

- i. The Board shall be responsible for the following matters concerning campus capital construction projects which have been approved by The Board of Governors and authorized by the State of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and (4) the final acceptance of all completed buildings and projects.

b. Naming Buildings

- i. The Board shall be responsible for approving permanent names of University facilities and spaces in compliance with the Board's policy on naming opportunities as amended from time to time. The Chancellor shall be authorized to approve temporary, functional names for such facilities and spaces as necessary to facilitate their identification and reflect their customary use pending approval of permanent names.

c. Campus Master Plan

- i. The Board shall be responsible for preparing and maintaining a master plan for the physical development of the University, consistent with its total academic and service mission.

d. Acquisition and Disposition of Real Property

- i. The Board shall recommend to the Board of Governors any proposal it approves involving the acquisition or disposition of any interest in real property (other than a lease); provided however, that if the proposal involves an interest in real property which is valued at less than \$50,000, the Board may authorize such transaction and proceed to obtain the necessary approvals from appropriate State officials and agencies, without first obtaining the approval of The Board of Governors.

8. Endowments and Trust Funds

- a. The Board shall be responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future. [G.S. 116.11(2); 116-12; 116-36]

9. Tuition, Fees, and Deposits

- a. The Board shall:

- (i) Cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term; [G.S. 116-11(7) and G.S. 116-143]
- (ii) Require the payment of such advance deposits, at such times and under such conditions, as may be required; [G.S. 116-143]
- (iii) Require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required; [G.S. 116-143]
- (iv) Establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees; [G.S. 116-143] and
- (v) Recommend, in consultation with the Chancellor, amounts to be charged for application, athletics, health services, student activities, education and technology, retirement of debt incurred for capital improvements projects authorized by the General Assembly, course, and special fees.

10. Student Financial Aid

- a. The Board may prescribe regulations, subject to applicable laws and the policies of the Board of Governors, pertaining to scholarship and other forms of financial aid to students which are limited in their application or are supported from sources generated by the University.

11. Student Services

- a. The Board, upon recommendation of the Chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students.

12. Traffic and Parking Regulations

- a. The Board shall have and exercise authority for the regulation of traffic and parking and for the registration of motor vehicles operated on the campus. [G.S. 116.44.3 et seq.] The Chancellor shall be responsible to the Board for enforcement of all such traffic regulations.

13. Auxiliary Enterprises, Utilities, and Miscellaneous Facilities

- a. The Board shall have authority and responsibility for the adoption of policies applicable to the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities [G.S. 116-35].

14. Information Technology

- a. The Board shall establish enterprise policies and rules governing the planning, acquisition, implementation, and delivery of information technology and telecommunications at the University, which shall provide for the following: security and encryption standards; software standards; hardware standards; acquisition of information technology consulting and contract services; disaster recovery standards; standards for desktop and server computing, telecommunication, networking, video services, personal digital assistants, and other wireless technologies; and, other information technology matters that are necessary and appropriate to fulfill the teaching, educational, research, extension, and service missions of the University. The Board shall submit such policies for approval as required by G.S. 116-40.22, and shall periodically report on these matters, among others, as required by G.S. 116-40.23.

15. Athletics

- a. The Board may advise the Chancellor and establish policies not inconsistent with policies established by the Board of Governors concerning the University's intercollegiate athletics program and in accordance with the requirements of the National Collegiate Athletic Association (NCAA) and the Southern Association of Colleges and Schools (SACS).

16. Strategic Planning

- a. The Board may advise the Chancellor in the development of long range and short range plans for the University and ensure those plans are designed to meet the University's goals and objectives.

17. Other Powers and Duties

- a. The Board shall have such other powers and duties not inconsistent with The Code or with applicable provisions of State law, as shall be defined and delegated by the Board of Governors [G.S. 116-33 and 116-11(14)].

ARTICLE II

Membership of the Board of Trustees

Section I.

A. Membership and Term of Office

1. The Board is composed of thirteen (13) persons chosen as follows: (i) eight (8) elected by the Board of Governors; (ii) four (4) appointed by the General Assembly pursuant to G. S. 120-121, two (2) of whom shall be appointed upon the recommendation of the President Pro Tempore of the Senate and two (2) of whom shall be appointed upon the recommendation of the Speaker of the House of Representatives; (iii) the president of the Student Government Association of the University, ex-officio with vote. [G. S. 116-31(d)] In every odd-numbered year after 1973, The Board of Governors shall elect four (4) persons to the Board and the General Assembly shall appoint one (1) person upon the recommendation of the President Pro Tempore of the Senate and one (1) person upon the recommendation of the Speaker of the House of Representatives to the Board. The terms of office of all such elected or appointed trustees (excluding ex-officio trustees) shall be four years, commencing on July 1 of such odd-numbered years.
2. From and after July 1, 1973, whenever any vacancy shall occur in the membership of the Board among those appointed by the General Assembly, it shall be the duty of the Secretary of the Board to inform the General Assembly of the existence of such vacancy, and the vacancy shall be filled as provided in G. S. 120-122, and whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary of the Board to inform the Board of Governors of the existence of the vacancy, and The Board of Governors shall elect a person to fill the unexpired term. Whenever a member shall fail, for any reason other than ill health or service in the interest of the State or nation, to be present for three (3) successive regular meetings of the Board, his/her place as a member shall be deemed vacant. [G. S. 116-31(j)]
3. Any person who has served two full four-year terms in succession as a member of the Board shall, for a period of one (1) year, be ineligible for election or appointment to the Board.

4. From and after July 1, 1973, no member of the General Assembly or officer or employee of the State or of any constituent institution of UNC or spouse of any such member, officer, or employee shall be eligible for election or appointment as a trustee. Any trustee who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution of UNC or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee shall be deemed thereupon to resign from this membership of the Board. [G. S. 116-31(h)]

ARTICLE III

Officers of the Board

Section I.

A. Election

1. Chair, Vice Chair, and Secretary
 - a. At the first meeting after June 30 of each year, the Board shall elect from its membership a Chair, a Vice Chair, and a Secretary. [G.S. 116-32] Any person who has served two (2) full one-year terms in succession in one (1) office shall, for a period of one (1) year, be ineligible for election to that office.
2. Assistant Secretary
 - a. The Board may also elect an Assistant Secretary, from among the members of the Chancellor's staff. Copies of all minutes, papers, and documents of the Board may be certified by its Assistant Secretary with the same force and effect as though such certification were made by the Secretary of such Board.

Section II.

A. Duties

1. The Chair of the Board shall preside at all meetings of the Board and at the Executive Committee of which he/she shall be Chair. If the Chair is absent from any such meeting, the Vice Chair shall act in his/her place. The Chair, unless otherwise prohibited by The Board of Governors, shall appoint all committee chairs, committee vice chairs, and members of committees of the Board subject to confirmation by the Board.

2. The Vice Chair of the Board shall be responsible for conducting affairs in the absence of the Chair.
3. The Secretary of the Board shall keep The Board of Governors, through the Secretary of UNC, fully and promptly informed concerning activities of the Board, including notice of any changes in the membership of the Board or in its committee structure or bylaws, notices of meeting, and a copy of the minutes of all meetings.

ARTICLE IV

Board Meetings

Section I.

A. Regular and Special Meetings

1. The Board shall hold one (1) regular meeting each calendar quarter and may hold such additional special meetings as may be deemed necessary or desirable. Each regular meeting shall be held at such time and at such place as the Chair may designate, with notice concerning the time and place to be mailed to each trustee by the Secretary of the Board at least fourteen (14) days in advance of the meeting date. Special meetings of the Board may be called by the Chair, at the Chair's sole discretion, or shall be called by the Secretary of the Board upon the written request of not fewer than seven (7) voting members of the Board. A special meeting called by the Secretary shall be held within twenty (20) days of receipt by the Secretary of the seventh written request for such special meeting. A notice specifying the time and place of a special meeting of the Board shall be mailed or otherwise delivered by the Secretary to each trustee at least forty-eight (48) hours before the meeting.

B. Rules of Procedure

1. *Roberts Rules of Order* (latest edition) shall be the rules of parliamentary procedure to be followed by the Board and its committees except as the Board chooses to adopt and use other specified procedures.

C. Agenda

1. Insofar as practical, the Chancellor shall develop the agenda for Board meetings upon consultation with the Chair, and shall provide the Board members the agenda and related materials in advance of both regular and special meetings.

D. Records

1. The Chancellor's Office shall file, index, and preserve all minutes, papers, and documents pertaining to the business and proceedings of the Board and of all Board committees.

E. Closed Sessions

1. All meetings of the Board shall be open to the public except closed sessions as prescribed in the General Statutes.

F. Motions, Resolutions, and other Propositions

1. Insofar as practical, all motions, resolutions, or other propositions shall be reduced to writing and circulated with the agenda before being voted on (except usual short parliamentary and minor motions).

G. Electronic Attendance

1. For any regular or special meeting of the Board, a trustee may participate and vote, subject to the limitations provided in this Section below, by means of video or telephone conference or any other electronic communication device that permits all persons participating at the meeting to simultaneously hear each other during the meeting. Any trustee participating in a meeting by this means is deemed to be present in person at the meeting.
2. If a trustee elects to participate in a meeting via electronic communication as provided in this Section for convenience or other personal reasons, such participation shall be limited to no more than one (1) meeting per fiscal year. Notwithstanding the forgoing, the Chair in his/her discretion may conduct a meeting of the Board by use of telephone conference or other electronic means for good cause, such as inclement weather or other exigent circumstances.
3. If the Board conducts a meeting by video or telephone conference or any other electronic communication device, it shall provide a location and means whereby members of the public may listen to the meeting, and the notice of the meeting shall specify that location.

ARTICLE V

Voting Powers of Board Members

Section I.

- A. All members shall have the power to vote on all questions coming before the Board for consideration. No member, however, shall have the privilege of voting by proxy.
- B. Any member so requesting shall have his/her vote recorded in the minutes and, on request of any member, the vote for each member shall be recorded.
- C. A quorum for the transaction of business shall consist of a majority of the members of the Board.
- D. All actions of the Board shall be taken by a majority vote, a quorum being present.

ARTICLE VI

Committees of the Board

Section I.

A. General Provisions

The Chair of the Board shall appoint, subject to confirmation by the Board, the chairs, vice chairs, and the members of the standing and special committees of the Board. Each committee chair shall appoint a committee secretary. The committee secretary may be, but need not be, a member of the Board. In the event the committee secretary is an employee of the University, that individual shall not be entitled to vote on any matter coming before the committee. Each member of the Executive Committee shall be an ex-officio member, with vote, of every other standing committee, subject to the requirements provided in Article VI, Section I.B below.

B. Voting Powers, Quorum, and Committee Membership

All committee members shall have the power to vote on matters coming before the committee for consideration. No member, however, shall have the privilege of voting by proxy. A quorum for the transaction of business of any committee shall be the number of appointed committee members that represents a majority of the membership of the committee (e.g., for a committee of five appointed members, a quorum for the transaction of business is established with the attendance of three members). A quorum may be established by the attendance and participation of appointed members and ex-officio members alike; provided, however, that the number of ex-officio members attending, participating, and voting at any standing committee meeting may not be more than is necessary to establish a quorum. All actions of a committee shall be taken by a majority vote, a quorum being present.

C. Electronic Attendance

1. A member of the Executive Committee may participate and vote, without limitation, in a meeting of the Executive Committee by means of video or telephone conference or any other electronic communication device that permits all persons participating in

the meeting to simultaneously hear each other during the meeting. A committee member participating in a meeting by this means is deemed to be present in person at the meeting.

2. A member of any standing committee of the Board other than the Executive Committee may elect to participate in a meeting by means of video or telephone conference or any other electronic communication device for convenience or other personal reasons; provided, however, that such participation shall be limited to no more than two (2) committee meetings per fiscal year. Notwithstanding the forgoing, the Chair of the standing committee in his/her discretion may conduct a committee meeting by use of video or telephone conference or any other electronic communication device for good cause such as inclement weather or other exigent circumstances. A committee member participating in a meeting by this means is deemed to be present in person at the meeting.

D. Standing Committees.

Standing committees of the Board are:

1. Executive Committee;
2. Administration, Governance and Trusteeship Committee;
3. Finance and Audit Committee; and
4. Academic Affairs and Personnel Committee

Section II.

A. Duties of Standing Committees

1. General Provisions

The committees of the Board shall have the powers and duties set forth in these Bylaws and such other powers and duties as the Board may delegate to them. They shall exercise their powers and perform their duties subject to the direction and approval of the Board. They may from time to time make recommendations to the Board for the establishment of new policies or any changes in existing policies.

2. Executive Committee

The Executive Committee shall consist of the Chair, Vice Chair, Secretary, the chairs of the standing committees, and the immediate past chair, provided that he or she is then a member of the Board.

When the trustees are not in session and prudent management requires prompt action, the Executive Committee shall have and exercise all of the authority of the Board in the management of the University; provided, however, that each trustee

shall be given two (2) days notice by personal delivery, electronic mail, first-class mail or facsimile of a meeting of the Executive Committee for the purpose of participation in discussion only. Executive Committee action shall be submitted to the trustees at their next meeting for informational purposes.

3. Administration, Governance and Trusteeship Committee

The Administration, Governance and Trusteeship Committee shall be staffed by the Chief of Staff in consultation with the Vice Chancellor for Student Affairs, and the Athletic Director each of whom may have agenda items for committee meetings. The Administration, Governance and Trusteeship Committee shall advise the Chancellor and recommend that the Board take action when appropriate with respect to the following matters:

- (a) Trustee evaluation;
- (b) Trustee recruitment;
- (c) Trustee orientation;
- (d) Trustee training and professional development;
- (e) The Board's relationship with the Chancellor;
- (f) Chair evaluation;
- (g) In all areas pertaining to advancement (including athletic fundraising activities); public affairs; and alumni affairs efforts of the University;
- (h) Regarding the formulation of University policies affecting the public information, public affairs, and public services areas;
- (i) The names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the University;
- (j) Legislative activities and shall make recommendations to the Board on actions to be taken in making the University's position known to members of the General Assembly;
- (k) The election of Directors of the Western Carolina University Foundation ("Foundation") as well as other corporate matters or duties vested in the Board pursuant to the Bylaws of the Foundation.
- (l) Student financial aid;
- (m) Student services;
- (n) Student conduct, activities, and government;
- (o) The intercollegiate athletics program; and
- (p) Student appeals of disciplinary actions resulting in expulsion.

4. Finance and Audit Committee

- a. The Finance and Audit Committee shall be staffed by the Vice Chancellor for Administration and Finance in consultation with the Internal Auditor, and the

Chief Information Officer who shall have agenda items for committee meetings. The Finance and Audit Committee shall advise the Chancellor and recommend that the Board take action when appropriate with respect to matters concerning the development, execution, and administration of the budget of the University, including, without limitation, the following matters: University financial reporting; debt authorization; and the establishment of tuition, student fees, and room and board fees.

- b. The Finance and Audit Committee also shall consider and make recommendations to the Board on matters relating to:
 - (i) The grounds and buildings on the campus and other real property of the University except that falling under the jurisdiction of the Board of Trustees of the Endowment Fund of Western Carolina University;
 - (ii) The control of the electrical distribution system, water and sewer systems, and other auxiliary facilities, pursuant to provisions of State law and policies of the Board of Governors; and
 - (iii) The development of policies and regulations concerning parking, traffic, vehicle registration, and campus security.
 - (iv) Information technology program at Western Carolina University, including 1) the adoption of enterprise policies governing planning, prioritization, funding, acquisition, implementation, maintenance, evaluation, auditing, cyber-security, and delivery of information technology and telecommunications services and 2) Board education on emerging technologies and cyber-security matters;
- c. The Finance and Audit Committee shall consider and make recommendations to the Board regarding University audit matters, including, without limitation, the following: review of internal control systems; review of the University internal audit department charter, audit schedules, goals, and annual plans; review of State Auditor year-end financial statements, findings, management letters, and other matters; and review of internal audit reports and summaries of internal and external audit activities.
- d. The Finance and Audit Committee shall perform such duties as required by UNC Policy 200.1 pertaining to conflicts of interest. As part of these duties the committee shall determine whether a potential conflict of interest by the Board members, chief executive officer, or chief financial officer is a permissible or impermissible activity and make recommended findings as to whether the conflict of interest policy has been violated.

5. Academic Affairs and Personnel Committee

- a. The Academic Affairs and Personnel Committee shall be staffed by the Provost in consultation with the Associate Vice Chancellor of Human Resources and Payroll, who shall have agenda items for committee meetings. The Academic Affairs and Personnel Committee shall advise the Chancellor and recommend that the Board take action when appropriate with respect to the following matters:
 - (i) Matters relating to the instruction and research programs of the University and on matters relating to admissions;
 - (ii) The appointment of all Tier I senior academic and administrative officers;
 - (iii) The tenure and promotion of faculty;
 - (iv) All institutional policies and regulations governing faculty tenure and promotion;
 - (v) Appeals from faculty members which involve questions of promotion and tenure when Board action is appropriate under The Code;
 - (vi) Appeals concerning faculty grievances and disciplinary cases when Board action is appropriate under The Code;
 - (vii) Personnel matters, including without limitation, appointment and compensation of employees exempt from the State Human Resources Act; and the adoption of employee disciplinary, grievance, and other personnel policies not otherwise prescribed by State law or The Code; and
 - (viii) Approval of certain employment contracts as may be required by The Code, or otherwise desirable.

ARTICLE VII

Endowment Fund

Section I. General Provisions

- A. The Board hereby creates an endowment fund, in accordance with the provisions of Section I.B below, to be known as "The Board of Trustees of the Endowment Fund of Western Carolina University" (hereinafter "Board of the Endowment Fund"). The Board of the Endowment Fund shall have all powers and duties provided by both N.C.G.S. 116-36 and the rules and regulations of The Board of Governors.
- B. The Board of the Endowment Fund shall consist of up to nine (9) members: the Chair of the Board; the Chancellor; the Chair of the Finance and Audit Committee of the Board; and up to six (6) members elected by the Board, upon nomination by the Chair of the Board, who may or may not be members of said Board.

The terms of the elected members of the Board of the Endowment Fund shall be three (3) years. The Chair of the Board shall be the *ex-officio* Chair of the Board of the Endowment Fund. The Board of the Endowment Fund shall adopt such procedures as it deems necessary for determining a quorum; for voting by members; for the keeping of the minutes of the meetings and for the transaction of business.

ARTICLE VIII

Communications to the Board

Section I.

- A. All communications to the Board, or to one of its committees, from students, faculty, or staff members, must be in writing and signed and transmitted through the Chancellor to the Board or the committee.
- B. The only proper channel leading from the University community to the Board, or to a committee of the Board, is through the Chancellor of the University.

ARTICLE IX

Amendment

Section I.

- A. These Bylaws may be amended at any Board meeting by a two-thirds (2/3) vote of the members present at any regular or special meeting of the Board.

ARTICLE X

Subordination to The Code

To the extent that any of these Bylaws may be inconsistent with The Code, as the same may be amended from time to time, The Code shall control.



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Contract Review and Execution

Formerly Executive Memorandum 96-120

Initially approved: November 1, 1976

Revised: April 1, 1987

Revised: October, 1996

Revised: June 17, 2002

Revised: March 30, 2005

Revised: August 24, 2009

Revised: October 1, 2010

Administering Office: Legal Counsel

I. GENERAL POLICY

Pursuant to North Carolina General Statutes and The Code of the Board of Governors of the University of North Carolina, the execution of all contracts and agreements on behalf of the University is the responsibility of the Chancellor. Contracts and agreements must be signed by the Chancellor unless he/she delegates and permits the further delegation of such authority as provided in Section III below.

For purposes of this policy, a contract means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. A contract may be titled as an agreement, a memorandum of understanding, a memorandum of agreement, a promise to pay, or may use other terminology.

II. ADMINISTRATIVE REVIEW

Prior to presentation to the Office of the Chancellor for execution, the responsible Division manager (i.e., Provost, Vice Chancellor, Chief Information Officer, and Athletic Director) and the University Legal Counsel will review all contracts and agreements. Their approval will be noted by their stamps on the contract or agreement.

The responsible Division manager will review the program and financial commitments and ensure that the



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University Legal Counsel review is not required because standard forms of contracts or agreements have been developed for use, as provided in Section III below. **NOTE: University Legal Counsel shall review all proposed statewide and agency term contracts for supplies, materials, printing, equipment, and contractual services that exceed one million dollars (\$1,000,000) to ensure that the proposed contracts are in proper legal form, contain all clauses required by law, are legally enforceable, and accomplish the intended purposes of the proposed contract. (NCGS §114-8.3(b) as effective October 1, 2010).**

In order to become a University "Standard" Agreement, a form must be reviewed and approved by University Legal Counsel. Only agreements that have been reviewed and approved as Standard Agreements may be processed as an exception to the general policy.

If any Standard Agreement in any category is modified during negotiations, the modified agreement must be signed by the Chancellor after review by University Legal Counsel in accordance with the general policy.

The Standard WCU Independent Contractor Agreement will be produced by the Office of Administration and Finance.

Prior to presenting a contract to the Division manager for approval, persons wishing to enter into contract negotiations must have the cooperation and approval of any unit which may be directly or indirectly implicated in performance of the contract (e.g., Information Technology, Finance, Facilities Management, Telecommunications, etc.).

The party initiating the contract for the University is responsible for reading the contract entirely and determining that: the contract language accurately reflects the current state of negotiations; the contract meets programmatic and University mission requirements; the contract is in the best interests of the University; he/she can ensure compliance with the obligations it places on the University; and the contract is sufficiently clear and consistent.

Any employee who executes a contract or agreement without authority under this policy may be personally responsible for performance of the contract or agreement's terms, including any payments due thereunder,

and may be subject to University disciplinary action



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evoked.

III. EXCEPTIONS TO ADMINISTRATIVE REVIEW AND EXECUTION

Exceptions to the general policy described above are as follows:

TYPE OF CONTRACT/AGREEMENT
LEGAL COUNSEL REVIEW
AUTHORITY TO SIGN FOR WCU
Academic Affiliation Agreements
Standard WCU Agreements
NO
Dean
Non-WCU Agreements
YES
Advertising Agreements negotiated by
Public Information
NO
Vice Chancellor for Advancement and External Affairs or written designee
Analysis and Testing Agreement
Standard WCU Agreement/Engineering
NO
Dean, Kimmel School
Athletics
Standard Southern Conference Scheduling Contracts
NO
Athletic Director or written designee
Non-Southern Conference Scheduling Contracts – contract amount less than \$10,000
NO

Non-Southern Conference Scheduling Contracts – contract amount \$10,000 and greater



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Capital improvement design agreement (standard state form)

NO

Capital improvement construction contracts (standard state form)

NO

Engineering services contract

YES

Testing services contract

YES

Change orders applicable to capital improvement construction contracts

NO

Equipment rental contracts

YES

Entertainment-Related Contracts (Performers, Bands, Speakers, etc.)

Ramsey Center – contract amount \$10,000 and greater

YES

Vice Chancellor for Administration and Finance

Ramsey Center – contract amount less than \$10,000

NO

LMP, LCE, University Center – contract amount \$10,000 and greater

YES

Vice Chancellor for Student Affairs

LMP, LCE, University Center – contract amount less than \$10,000

NO

FPAC – contract amount \$10,000 and greater

YES

Provost

FPAC – contract amount less than \$10,000

NO

Mountain Heritage Day (Standard WCU Independent Contractor Agreement)



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Director, Ramsey Center

Standard WCU Agreements for other Campus Facilities

NO

Director of Residential Living * [/#_ftn1]

Housing

Standard contracts for student housing

NO

Director of Residential Living

Standard Robertson apartment leases

NO

Standard faculty/staff housing leases

NO

Licensing Agreement for WCU Marks

Standard WCU Agreements

NO

Vice Chancellor for Advancement and External Affairs or written designee

Non-WCU Agreements

YES

Purchasing

Equipment maintenance/service contracts

NO

Director of Purchasing

Lease-purchase contracts

YES

Installment payment contracts

YES

Vending company contracts

YES



nce

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Chief Information Officer (CIO)

Software Licenses and related maintenance and service agreements; software service subscriptions and enrollments

YES

Hardware or software consulting agreements

YES

Technology Transfer Matters

Standard WCU Non-disclosure agreement (NDA)

NO

Director of Technology Transfer

Non-WCU NDA

YES

Materials Transfer Agreements

YES

Web Course Development – Educational Outreach

Standard WCU Letter Agreement and General Terms

NO

Dean, Educational Outreach

Contracts Processed by Graduate School & Research

Standard WCU Contracts

NO

Dean, Graduate School and Research

Non-WCU Contracts

YES

Employment Contracts

Standard Faculty Employment Contracts

NO

Provost



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Responsible Dean, Chief of Staff and Division manager

Contract amount \$10,000 and greater

NO

Responsible Division manager, Chief of Staff

Miscellaneous Contracts

Standard New Century Scholar Contracts

NO

Director of Admissions

* [/#_ftnref1] University Policy #82 will be amended to conform with this controlling provision.

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828.227.7211



Contact WCU [/discover/contact-wcu/index.aspx]

PRIVACY STATEMENT [/DISCOVER/LEADERSHIP/OFFICE-OF-THE-CHANCELLOR/LEGAL-COUNSEL-OFFICE/PRIVACY-STATEMENT.ASPX]

**FINANCE AND AUDIT COMMITTEE
BOARD OF TRUSTEES
WESTERN CAROLINA UNIVERSITY
September 5, 2019**

ACTION ITEM: Delegation of Authority for Non-Appropriated Capital Projects

BACKGROUND INFORMATION:

Under G.S. 116-31.11, the Board of Governors has authority to manage capital improvement projects costing \$2,000,000 or less. G.S. 116-31.11 and G.S. 116-11(13), together, permit the Board of Governors to delegate this authority to a constituent institution or to the president. Section 600.1.1 of the UNC Policy Manual was revised in July 2019 and now permits boards of trustees to approve non-appropriated capital improvement projects that are projected to cost \$750,000 or less.

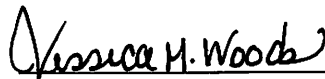
Formerly, the president delegated to the Board of Trustees (BOT) authority to approve projects up to \$300k. The WCU BOT then delegated that same authority to the chancellor or chancellor's designee. WCU has been operating under that threshold (\$300k) for many years. The BOT's authorization to delegate the new increased authority on to the chancellor or chancellor's designee would improve the timeline for these small projects and prevent the need for frequent called meetings of the BOT.

RECOMMENDATION:

Delegate this Increased authority to the chancellor (or chancellor's designee) to approve non-appropriated capital improvement projects up to \$750,000.

I, Jessica Woods, the duly appointed Secretary of the Board of Trustees of Western Carolina University, *DO HEREBY CERTIFY* that (1) the foregoing is a full, true and correct copy of the agenda item presented and adopted by the Board of Trustees of Western Carolina University at its meeting of September 6, 2019 and appearing in the minutes of such meeting, (2) notice of the meeting of the Board of Trustees of Western Carolina University held on September 6, 2019 was sent to each member of the Board, and (3) a quorum was present at the meeting on September 6, 2019 at which time the item was approved.

WITNESS, my hand this 9 day of September, 2019.


Secretary



A campus of the UNIVERSITY OF NORTH CAROLINA

OFFICE OF THE CHANCELLOR
(828) 227-7100

January 10, 2003

President Molly C. Broad
The University of North Carolina
Office of the President
Post Office Box 2688
Chapel Hill, NC 27515-2688

SUBJECT: Institutional Plan of Management Flexibility to Appoint and Fix
Compensation for Western Carolina University

Dear President Broad:

Western Carolina University herewith submits our Institutional Plan of Management Flexibility to Appoint and Fix Compensation in accordance with Policy # 600.3.4 of the UNC Board of Governors. This plan was approved by the WCU Board of Trustees meeting on December 6, 2002.

Vice Chancellor Collings or I may be contacted if additional information is needed.

Sincerely,

A handwritten signature in cursive script that reads 'John W. Bardo'.

John W. Bardo
Chancellor

Enclosure

Cc: Vice Chancellor Collings

Institutional Plan of Management Flexibility to Appoint and Fix Compensation
Western Carolina University

I. Introduction and Background

Policy # 600.3.4 of the University of North Carolina (UNC) Board of Governors, "Granting of Management Flexibility to Appoint and Fix Compensation," provides for the delegation to the Boards of Trustees of Special Responsibility Constituent Institutions (SRCI) the authority to administer various personnel actions. These personnel actions are described in Policy # 600.3.4. Upon approval of this Institutional Plan by the Board of Governors, certain personnel actions will be delegated to the Western Carolina University (WCU) Board of Trustees.

II. Approval Process and Content of the Institutional Plan

Special Responsibility Constituent Institutions seeking to obtain management flexibility are required to submit a plan to the Senior Vice President for Academic Affairs for review and approval by the Board of Governors or the Personnel and Tenure Committee of the Board on any date after March 1, 2002. Policy # 600.3.4 of the Board of Governors requires that specific areas of policy and/or procedure be addressed in the institutional plan. In the following section, this institutional plan for WCU identifies the requirements and describes how they are or will be fulfilled on this campus.

III. Fulfilling the Board of Governors' Requirements

A. Requirement:

Institutions must employ policies and procedures for the recruitment and selection of senior academic and administrative officers. These policies and procedures are contained in Attachment A, the WCU document titled, "Recruitment and Selection Procedures for EPA Faculty and Administrators." This document can also be accessed on-line at the following web address: http://www.wcu.edu/eop/recruit_guide.pdf.

These procedures provide guidance in the following areas:

- a. Permission to Recruit
 - a. Position analysis
 - b. Obtaining authorization to recruit
 - c. Search committee appointment
- b. Recruitment process
 - a. Developing the job advertisement
 - b. Authorization forms
 - c. Advertising

- d. Recruitment costs
- c. Screening the applicant pool
 - a. Processing and screening of applicant vita/materials
 - b. Reviewing the applicant pool
 - c. Equal Opportunity Program office (EOP) approval of the applicant pool
- d. Interviewing
 - a. Checking references
 - b. Selecting final candidates
 - c. Additional screening and EOP approval
 - d. Interview arrangements
 - e. Candidate visits
 - f. Candidate expenses and reimbursement
- e. Decision to offer the position
 - a. Selecting the successful candidate
 - b. Unofficial offer
- f. Appointment
 - a. Required documents
 - b. Official offer and acceptance
 - c. Post-appointment procedures
- g. Re-opening the search (as necessary)

B. Requirement:

Institutions must have a campus policy for promotion and tenure that complies with the Code of the University of North Carolina and current federal law, provides for periodic pre-tenure, tenure and promotion review at multiple levels, and provides clear requirements for promotion and the conferral of permanent tenure.

WCU's policy for promotion and tenure is found in the Faculty Handbook, Section 4.02, titled "Guidelines for Conferral of Academic Rank, Promotion, and Tenure." Promotion and tenure guidelines and processes are supplemented by the University's annual evaluation process for faculty members (see Section 4.05 of the Faculty Handbook). WCU's tenure policy is attached to this plan and noted as Attachment B. The policy may also be accessed at the following web address:
<http://www.wcu.edu/fachandbook/empl/sectwo.htm>.

The policy for promotion and tenure provides a definition of the tenure policies and regulations for WCU and expounds on the freedom and responsibility of the faculty and the university community. The policy provides further explanation regarding the classes of appointment to faculty rank, the terms and conditions of appointments, continued availability of special funds, a provision for less than full-time employment, conditions related to nonreappointment, resignations, and due process before discharge. The roles of the tenure and promotion advisory committees and the administration are explained as well as appeals processes in circumstances of negative decisions on reappointment,

promotion, and tenure. The policy also includes provisions for periodic pre-tenure review, tenure and promotion review at multiple levels.

Attachment C, a memorandum from the Vice Chancellor for Academic Affairs to deans, department heads, and the University Librarian, provides a general guideline and timeframe for the tenure, promotion, and reappointment and annual faculty evaluation processes.

The policy for promotion and tenure is reviewed continuously and is administered in accordance with the The Code of The University of North Carolina.

C. Requirement:

Institutions must maintain a schedule and process for periodic review of promotion and tenure policies and a process for amending promotion and tenure policies that includes a review by the Office of the President.

The Faculty Senate is currently revising faculty evaluation standards and procedures, including annual faculty evaluation, promotion, and tenure policies. A final report is expected during the 2002-03 academic year. Once published, this report and respective policies will be made part of the management flexibility plan for Western.

D. Requirement:

Institutions must establish salary ranges, based on relevant data, for vice chancellors, provosts, deans, and other similarly situated administrators that are not included in the annual Board of Governors' study establishing salary ranges.

Senior administrative positions at WCU not included in the Board of Governors' annual study include Deans, University Librarian, and University Legal Counsel. Salary ranges will be established, based upon comparisons to approved peer institutions, in keeping with the Board requirement.

To establish the salary ranges, WCU will continue to participate in and acquire the annual administrative salary survey prepared by the College and University Professional Association for Human Resources (CUPA-HR).

E. Requirement:

Institutions must maintain evidence of comprehensive salary studies that establish salary ranges for tenured faculty within different disciplines based on relevant data.

Salary ranges for tenured faculty, by discipline, must be developed. To do so, WCU has participated in and acquired the annual faculty salary survey conducted by CUPA-HR. This national survey contains faculty salary data for peer institutions by academic

discipline. Additionally, WCU has obtained a special faculty salary study in which 12 peer institutions' data has been compiled to serve as comparative data specific to WCU.

This survey is attached to this plan and noted as Attachment D.

F. Requirement:

Institutions must employ policies governing the compensation of faculty and non-faculty EPA (Exempt from the State Personnel Act) from non-state sources such as grants, endowment funds, practice plan funds, etc.

Non-state funds, such as grants, endowment income, and funds collected through the assessment of fees and charges to students and other constituents, are considered to be resources of WCU, an agency of the University of North Carolina and the State of North Carolina. Without regard to source of funding, compensation of faculty and EPA non-faculty is managed in accordance with the Board of Governors' annual resolution on salary matters. All resources used to compensate members of the faculty and EPA non-faculty are distributed in a manner consistent with this resolution. Use of non-state funds to compensate Senior Academic and Administrative Officers (SAAO) must be approved by the Board of Trustees.

G. Requirement:

Institutions must employ policies governing any non-salary compensation of faculty and EPA non-faculty.

Within the boundaries set by the financial policies of the State and of WCU, as outlined in the policy manuals of the Office of State Budget and Management and WCU, the Board of Trustees has the authority to approve any non-salary compensation from all sources of funds for all Vice Chancellors and Senior Academic and Administrative Officers for which the Board of Governors establishes salary ranges. The Chancellor has the authority to approve any non-salary compensation from all sources of funds for deans and other similarly situated administrators that are not included in the Board of Governors' study establishing salary ranges. Only the Board of Governors can approve non-salary compensation for the Chancellor.

H. Requirement:

Institutions must maintain documentation that the campus has not had audit findings related to personnel practices, salary or payroll for the previous three years or evidence that any findings have been remedied.

Copies of clean audit statements are available.

I. Requirement:

Institutions must maintain evidence of appropriate accountability procedures in the event that the Board of Trustees delegates the authority granted pursuant to this policy to the Chancellor.

It is the intent of this plan to delegate to the Chancellor the authority to appoint and fix compensation for faculty with permanent tenure, faculty awarded the designation of distinguished professor, and deans and other similarly situated administrators that are not included in the Board of Governors' study establishing salary ranges, not inconsistent with other policies in this plan. The Chancellor will also be delegated the authority to award compensation from non-state sources consistent with policies established by the Board of Governors.

To ensure proper oversight and accountability, the Chancellor will annually provide, at the spring meeting of the WCU Board of Trustees, an appropriate summary report of personnel actions taken under this delegation of authority for the current academic year.

- a. The WCU Policy on Employees Exempt from the State Personnel Act and the policies and procedures of the University's Division of Administration and Finance provide further evidence of appropriate accountability procedures.

IV. Effective Date of the Delegation of Authority

The delegation authorized in Board of Governors Policy # 600.3.4 is effective upon the date when the Board of Governors approves this Institutional Plan.

Approved by the Board of Trustees Effective December 6, 2002
Approved by the Board of Governors Effective

Kathy Wong

From: Chuck Wooten
Sent: Wednesday, March 12, 2003 7:35 AM
Subject: FW: Management Flexibility

FYI

-----Original Message-----

From: John Bardo
Sent: Tuesday, March 11, 2003 10:34 AM
To: 'Gretchen Bataille'
Cc: Richard Collings; Chuck Wooten; Clifton Metcalf; Tom Franke; Robert Caruso; Jeff Compher; Dianne Lynch; Terry Welch; Tom Canepa; Fred Hinson
Subject: RE: Management Flexibility

Gretchen,
Thank you so much for the information and the support. This will help. On another matter, by the close of business today we should have as many freshman applications as we had total last year. We are still seeing a double digit increase in applications compared to the same time last year. Freshman deposits are running substantially ahead of last year at the same time (even further ahead than applications). If this holds, we will see a significantly larger class. Folks are pushing hard to convert applications into enrollees. Our spring enrollment was substantially larger this year than last, so we believe that we will see a fair amount of growth in the numbers of undergraduate, graduate, and distance learning students. We are preparing contingency plans for a freshman class of between 1300 and 1370 (compared to 1224 this year) and a total headcount enrollment of 7,350 to 7,450 headcount (compared to 6,033 this year). Of course, all of this can change as we get closer to school year, but as of now, I am optimistic. John

-----Original Message-----

From: Gretchen Bataille [mailto:bataille@northcarolina.edu]
Sent: Tuesday, March 11, 2003 10:16 AM
To: John Bardo
Cc: cwaldrup@ias.ga.unc.edu; Richard Collings
Subject: Management Flexibility

Just wanted you to know that we will be recommending management flexibility for WCU to the Committee on P&T at the March meeting. Thank you for the quick turn-around. If we can be helpful with the revisions of the tenure policy, feel free to contact us.

--

Gretchen M. Bataille
Senior Vice President for Academic Affairs
University of North Carolina
P.O. Box 2688
Chapel Hill, NC 27515-2688
(919) 962-4614
(919) 843-6843 FAX

Kathy Wong

To: Charles Waldrup
Subject: RE: WCU revised flexibility management plan

Thank you, Charles. The amended plan is on its way in a few minutes.

Kathy

-----Original Message-----

From: Charles Waldrup [mailto:cwaldrup@northcarolina.edu]
Sent: Monday, March 10, 2003 4:12 PM
To: Gretchen Bataille; Kathy Wong
Subject: WCU revised flexibility management plan

I am forwarding this to Dr. Bataille, to be sure she receives a copy quickly.

In quickly reviewing these materials, I believe WCU ought to expressly state at the end of the section about non-salary compensation that it will commit its practices to a policy, which will take a few months to accomplish.

Charles

----- Original Message -----

Subject: revised flexibility management plan
Date: Mon, 10 Mar 2003 15:20:22 -0500
From: "Kathy Wong" <wong@email.wcu.edu>
To: <cwaldrup@northcarolina.edu>

Charles...I am sending you our revised management flexibility plan. I have a favor...would you read the section on non-salary compensation and let me know if this is sufficient? We feel like we need to write this into a formal policy statement and have it approved by our Board of Trustees. They do not meet again until June. Is it possible that our plan can be approved with the proviso that our non-salary compensation practice (as explained in the plan) will be formalized as a policy at our Board of Trustees meeting?

Thanks for your advise and help.

Kathy

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Resolution of the Board of Trustees of Western Carolina University to Delegate Expanded Authority to the Chancellor for Certain Salary Actions for Employees Exempt from the State Human Resources Act

WHEREAS, pursuant to N.C.G.S. 116-11(2), the UNC Board of Governors is responsible for the general determination, control, supervision, management and governance of all affairs of the constituent institutions; and

WHEREAS, the UNC Board of Governors has adopted policies relevant to salary actions for employees exempt from the State Human Resources Act ("EHRA employees") that delegate certain actions to the president and/or boards of trustees, and on July 29, 2016, approved changes to Sections 200.6 and 600.3.4 of the UNC Policy Manual that raised the thresholds at which proposed salary increases for EHRA employees may be approved by the president and authorized the president to delegate all or a portion of such authorities to the boards of trustees consistent with its authority under N.C.G.S. 116-11(13), as necessary or prudent to enable the institution to function in a proper and expeditious manner ; and

WHEREAS, consistent with the UNC Board of Governors' authorization, the president has determined that it is necessary and prudent to delegate to the boards of trustees of the constituent institutions the authority to approve individual EHRA employee salary adjustments within the following limits:

- a) A temporary salary stipend or supplement with a specified end date that does not exceed 25% and \$25,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary, up to 12-months in duration; and
- b) A temporary salary stipend or supplement without a specified end date that does not exceed 20% and \$15,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary; and
- c) A permanent base salary adjustment that does not exceed 20% and \$15,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary; and

WHEREAS, the president has authorized the board of trustees, at its option, to further delegate any or all of the above authorities to approve salary adjustments, with the exception of adjustments for Tier I Senior Academic and Administrative Officers, to the chancellor and the chancellor's permitted designees identified in the paragraph below, as deemed necessary for the proper and expeditious operation of the institution;

NOW THEREFORE, after careful consideration, the Western Carolina University Board of Trustees hereby further delegates to the Chancellor and the Chancellor's permitted designees the authority to approve EHRA salary adjustments up to the aforementioned limits. This delegation shall remain in effect until modified or rescinded by the Board of Governors, President, or Board of Trustees. For purposes of this Resolution, the Chancellor's permitted designees shall be the following senior officers of the institution: Executive Council (Provost, Vice Chancellor for Administration & Finance, Vice Chancellor for Student Affairs, Vice Chancellor for Development & Alumni Engagement, General Counsel, Chief Information Officer, Chief of Staff, Director of Athletics); Associate Vice Chancellor for Human Resources & Payroll.

BE IT SO RESOLVED.

APPROVED BY THE BOARD OF TRUSTEES OF Western Carolina University.

Date: December 9, 2016

By: Claire Hollins
Assistant Secretary to the Board of Trustees

SEPTEMBER 03, 2021

DELEGATED AUTHORITY WORKSHEET

Source	Authority	Delegation	Source	Sub-Delegation	Source
Powers Delegated by the General Assembly					
N.C.G.S. § 116-11(4)	Recommend Chancellor Nomination: The President shall make his nomination [for chancellor of a constituent institution] from a list of not fewer than two names recommended by the institutional Board of Trustees.	Not delegated.			
N.C.G.S § 116-30.8	Audit (for Special Responsibility Constituent Institutions only): Each special responsibility constituent institution shall be audited annually by the State Auditor. The audit shall be provided to the Chancellor and Board of Trustees of the special responsibility institution, and the Board of Governors of The University of North Carolina	Not delegated.			
N.C.G.S § 116-31.10	Powers of the Board Regarding Certain Purchasing Contracts: Authority to execute certain purchasing contracts.	Delegated to Chancellor.	Proposed Resolution	Administrators designated in University Policy 062.	Policy
N.C.G.S § 116-31.12	Acquisition and Disposition of Real Property: The Board of Governors shall establish a policy for acquiring and disposing of an interest in real property for the use of The University of North Carolina and its constituent institutions by lease. This policy may delegate authorization of the acquisition or disposition of real property by lease to the Boards of Trustees of the constituent institutions or to the President of The University of North Carolina.	Delegated pursuant to UNC Code and Policy Manual as specified in this document.			

N.C.G.S. § 116-33	Powers and duties of the boards of trustees: Each board of trustees shall promote the sound development of the institution within the functions prescribed for it, helping it to serve 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 area of endeavor. Each board shall serve as advisor to the Board of Governors on matters pertaining to the institution and shall also serve as advisor to the chancellor concerning the management and development of the institution. The powers and duties of each board of trustees, not inconsistent with other provisions of this Article, shall be defined and delegated by the Board of Governors.	Not delegated.			
N.C.G.S. § 116-33.1	Board of Trustees to Permit Recruiter Access: If the Board of Trustees provides access to its buildings and campus and the student information directory to persons or groups which make students aware of occupational or educational options, the Board of Trustees shall provide access on the same basis to official recruiting representatives of the military forces of the State and of the United States for the purpose of informing students of educational and career opportunities available in the military.	Not delegated.			
N.C.G.S. § 116-36(a).	Endowment Fund: The Board of Trustees of each constituent institution shall establish and maintain, pursuant to such terms and conditions, uniformly applicable to all constituent institutions, as the Board of Governors of the University of North Carolina may from time to time prescribe, an endowment fund for the constituent institution.	Delegated to Board of Trustees for the Endowment Fund for Western Carolina University.	Proposed Resolution		

N.C.G.S. § 116-40.5	Campus Law Enforcement Agencies: The Board of Trustees may establish campus law enforcement agencies....	Not delegated.			
N.C.G.S. § 116-40.5	Campus Law Enforcement Agencies: The Board of Trustees may... enter joint agreements with local jurisdictions to extend law enforcement jurisdiction.	Delegated to Chancellor.	Proposed Resolution	Chief of University Police	Letter
N.C.G.S. § 116-40.22(b)	Management Flexibility: The Board of Trustees of an institution shall, on recommendation of the Chancellor, appoint and fix the compensation of all vice-Chancellors, senior academic and administrative officers (SAAO Tier 1), and any person having permanent tenure at that institution.	Not delegated.			
N.C.G.S. § 116-40.22(b)	Management Flexibility: The Board of Trustees of an institution shall, on recommendation of the Chancellor, appoint and fix the compensation of all... senior academic and administrative officers (SAAO Tier 2), at that institution.	Delegated to Chancellor.	Proposed Resolution	Executive Council And Associate Vice Chancellor for Human Resources and Payroll	Letter
N.C.G.S. § 116-40.22(c)	Management Flexibility: The Board of Trustees of the institution may recommend to the Board of Governors tuition and fees for program-specific and institution-specific needs at that institution without regard to whether an emergency situation exists and not inconsistent with the actions of the General Assembly.	Not delegated.			
N.C.G.S. § 116-40.22(d)	Management Flexibility: Board of Trustees of an institution shall establish policies and rules governing the planning, acquisition, implementation, and delivery of information technology and telecommunications at the institution.	Delegated to Chancellor.	Proposed Resolution	Chief Information Officer	Letter
N.C.G.S. § 116-40.23	Management Flexibility: Board of Trustees shall adopt policies, procedures, and rules regarding campus Management	Not delegated.			

	Flexibility and update Board of Governors on subsequent changes to policies, procedures, and rules.				
N.C.G.S § 116-41.15(c)	Distinguished Professors Endowment Trust Fund: The Board of Trustees may recommend to the Board [of Governors], for its approval, the establishment of an endowed chair or chairs and develop procedures and rules for the designation and selection of Distinguished Professors.	Not delegated.			
N.C.G.S. § 116-44.4	Traffic and Parking: The Board of Trustees may regulate traffic and parking on campus	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter
N.C.G.S § 116-143.6(a)	Full Scholarship Students Attending Constituent Institutions: The Board of Trustees may consider as residents of North Carolina all persons who receive full scholarships, unless the scholarships is for athletics, to the institution from entities recognizes by the institution and attend the institution as undergraduate students.	Not delegated.			
N.C.G.S. § 116-143(b)	State Supported Institutions of Higher Education Required to Charge Tuition and Fees: In the event that said students are unable to pay the cost of tuition and required academic fees as the same may become due, in cash, the Boards of Trustees are hereby authorized and empowered, in their discretion, to accept the obligation of the student or students together with such collateral or security as they may deem necessary and proper, it being the purpose of this Article that all students in State institutions of higher learning shall be required to pay tuition, and that free tuition is hereby abolished.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter
N.C.G.S. § 116-143.10	Cap on Student Fees: The Board of Trustees at each constituent institution may increase the cumulative total of all undergraduate student fees approved by either the Board of Governors or the Board	Not delegated.			

	of Trustees by no more than three percent (3%) per academic year.				
Powers Delegated by the Board of Governors or President					
The Code Section 402C	MEETINGS: Reports on the Activities of the Board of Trustees. The secretary of each Board of Trustees shall keep the Board of Governors, through the secretary of the University, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in the membership of the Board or in its committee structure or bylaws, and notices of meetings.	Not delegated.			
The Code Section 403	POWERS AND DUTIES: The Board of Trustees of each constituent institution shall advise the Board of Governors on matters related to the institution and shall advise the chancellor on management and development of the institution.	Not delegated.			
The Code Section 502C	CHANCELLORS OF CONSTITUENT INSTITUTIONS – Relation of the Chancellor to the Board of Trustees: The chancellor shall submit reports to the Board of Trustees on the operation of the institution and its needs, as the chancellor may deem wise or the Board may require.	Not delegated.			
The Code Section 502D	CHANCELLORS OF CONSTITUENT INSTITUTIONS – Relation of the Chancellor to the Constituent Institution: Where, in a student conduct case, the sanction is suspension or expulsion, an appeal may be made to the Board of Trustees. No appeal to the president or Board of Governors is permitted.	Not delegated.			

The Code Section 602	Academic Tenure: The Board of Trustees of each constituent institution shall adopt policies and regulations governing academic tenure.	Not delegated.			
The Code Section 603 (see also UNC Policy 101.3.1.1[R])	Appeals of Decisions Imposing Discharge or Serious Sanction: The appeal to the Board of Trustees shall be decided by the full Board of Trustees. However, the board may delegate the duty of conducting an initial review to a standing or ad hoc committee of at least three members.	Not delegated.			
The Code Section 604(2) (see also UNC Policy 101.3.1.2[R])	Review of Nonreappointment Decisions: If the Chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the Chancellor's decision by filing a written notice of appeal with the Board of Trustees.	Not delegated.			
The Code Section 605C (6)	Review of Termination: A faculty member whose employment is terminated pursuant to this Section 605 may appeal the reconsideration decision to the Board of Trustees of the constituent institution.	Not delegated.			
The Code Section 607(6)	Faculty Grievance Committee For Constituent Institutions: If neither the relevant administrative official nor the Chancellor makes an adjustment that is advised by the faculty grievance committee in favor of the aggrieved faculty member, then the faculty member may appeal to the Board of Trustees of the constituent institution. The decision of the Board of Trustees is final.	Not delegated.			
The Code Section 611(2)	Review Of Personnel Actions Affecting Specified Employees Exempt From The State Human Resources Act (EHRA): If the Chancellor either declines to accept a committee recommendation that is	Not delegated.			

	favorable to the employee or concurs in a committee recommendation that is unfavorable to the employee, the employee may appeal within 14 calendar days after receiving the Chancellor's written decision, by filing with the Chancellor for transmission to the Board of Trustees a written notice of appeal.... The decision of the Board of Trustees is final with no further appeal.				
The Code Appendix 1, Section I(A)(1)	Academic And Administrative Personnel: Upon recommendation of the Chancellor, the Board of Trustees of a special responsibility constituent institution with management flexibility for personnel appointments shall, for all positions exempt from the State Human Resources Act except the position of the Chancellor, appoint, promote, and set the compensation for such employees consistent with the policies and salary ranges set by the Board of Governors and the regulations and guidelines established by the Office of the President.	Delegated to Chancellor.	Proposed Resolution	Associate Vice Chancellor for Human Resources and Payroll	Letter
The Code Appendix 1, Section I(A)(2)	Academic And Administrative Personnel: A Board of Trustees may promote in rank a faculty member with permanent tenure, upon the recommendation of the chancellor, and without approval by the Board of Governors.	Not delegated.			
The Code Appendix 1, Section I(C)	Academic And Administrative Personnel: The Board of Trustees may adopt personnel policies not otherwise prescribed by state law, the University Code, or policies of the Board of Governors, for personnel in all categories of university employment.	Not delegated.			
The Code Appendix 1, Section I(D)	Academic And Administrative Personnel: In the event of a vacancy in the chancellorship, the Board of Trustees shall establish, in consultation with the	Not delegated.			

	president, a search committee composed of representatives of the Board of Trustees, the faculty, the student body, staff, the alumni, the local community, and other campus constituencies as may be appropriate.				
The Code Appendix 1, Section I(D)	Academic And Administrative Personnel: The Board of Trustees, following receipt of the report of the search committee, shall, subject to the direction of the president, recommend an unranked slate of no fewer than two candidates for consideration by the president in designating a nominee for the chancellorship for approval by the Board of Governors.	Not delegated.			
The Code Appendix 1, Section II	Academic Program: The Board of Trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.	Not delegated.			
The Code Appendix 1, Section III	Academic Degrees and Grading: Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered by an institution, each institution shall determine whether an individual student shall be entitled to receipt of a particular degree.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Academic Affairs	Letter
The Code Appendix 1, Section III	Academic Degrees and Grading: Each institution also shall determine what grade a student will be assigned in a particular course.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Academic Affairs and general faculty	Letter
The Code Appendix 1, Section IV	Honorary Degrees, Awards And Distinctions: The Board of Trustees shall be responsible for approving the names of	Not delegated.			

	all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution, subject to such policies as may be established by the Board of Governors.				
The Code Appendix 1, Section V	Budget Administration: The Board of Trustees shall advise the Chancellor with respect to the development of budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors	Not delegated.			
The Code Appendix 1, Section VI	Property And Buildings: The Board of Trustees of a constituent institution shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, for the following matters concerning campus capital construction projects which have been approved by the Board of Governors and authorized by the state of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and ...	Not delegated.			
The Code Appendix 1, Section VI	Property And Buildings: The Board of Trustees of a constituent institution shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, for the following matters concerning campus capital construction projects which have been approved by the Board of Governors and authorized by the state of North Carolina: ...(4) the final acceptance of all completed buildings and projects.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter

The Code Appendix 1, Section VI	Property And Buildings: The Board of Trustees shall be responsible to the Board of Governors for preparing and maintaining a master plan for the physical development of the institution, consistent with the total academic and service mission of the institution as defined and approved by the Board of Governors	Not delegated.			
The Code Appendix 1, Section VI	Property And Buildings: If a proposal involves acquisition or disposition of any interest in real property other than a leasehold, the Board of Trustees may authorize such a transaction with a value less than \$500,000. If a proposal involves acquisition or disposition of a leasehold interest in real property, the Board of Trustees may authorize such a transaction with an annual value less than \$500,000 and a term of not more than 10 years.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter
The Code Appendix 1, Section VII	Endowments And Trust Funds: Subject to applicable provisions of state law and to such terms and conditions as may be prescribed from time to time by the Board of Governors, each Board of Trustees shall be responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future, for the benefit of the individual constituent institution. [See G.S. 116-11(2); 116-12; 116-36; 116-36.1; 116-36.2]	Delegated to Chancellor.	Proposed Resolution		
The Code Appendix 1, Section VIII	Admissions: Subject to such enrollment levels and minimum general criteria for admission as may be established for a constituent institution by the Board of Governors, each constituent institution of the University of North Carolina shall establish admissions policies and resolve	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Student Affairs	Letter

	individual admission questions for all schools and divisions within the institution. No appeal concerning an individual admission case shall lie beyond the institutional Board of Trustees.				
The Code Appendix 1, Section IX.	Tuition, Fees, And Deposits: The Boards of Trustees of the constituent institutions other than the board of the North Carolina School of Science and Mathematics shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter
The Code Appendix 1, Section IX.	Tuition, Fees, And Deposits: Each Board of Trustees shall require the payment of such advance deposits, at such times and under such conditions as it determines are appropriate or as may be required by state law or by the Board of Governors. [See G.S. 116-143].	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter
The Code Appendix 1, Section IX.	Tuition, Fees, And Deposits: Each Board of Trustees shall 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. [See G.S. 116-143].	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter
The Code Appendix 1, Section IX.	Tuition, Fees, And Deposits: Subject to policies prescribed by the Board of Governors, the Boards of Trustees shall establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter

The Code Appendix 1, Section IX.	Tuition, Fees, And Deposits: Subject to policies prescribed by the Board of Governors, each Board of Trustees, in consultation with the Chancellor, shall recommend to the president the amounts to be charged at the constituent institution for application, athletics, health services, student activities, educational and technology, retirement of debt incurred for capital improvements projects authorized by the General Assembly, course, and special fees.	Not delegated.			
The Code Appendix 1, Section X	Student Financial Aid: All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the Board of Trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Student Affairs And Vice Chancellor for Administration and Finance	Letter
The Code Appendix 1, Section XI	Student Services: Each Board of Trustees, upon recommendation of the Chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Academic Affairs, Vice Chancellor for Student Affairs, Vice Chancellor for Administration and Finance, and the Athletic Director	Letter
The Code Appendix 1, Section XII	Student Activities And Government: Under such policies as may be prescribed by the Board of Governors and the Board of Trustees, the chancellor shall be responsible for the regulation and approval of organized, institutionally recognized student activities, the definition of roles and functions of any institutionally recognized system of student self-government and student participation in the governance of	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Student Affairs	Letter

	any aspect of the institutional programs and services.				
The Code Appendix 1, Section XIII	Intercollegiate Athletics: Subject to such policies as may be prescribed by the Board of Governors and the Board of Trustees, the chancellor shall be responsible for the establishment and supervision of the institution's program of intercollegiate athletics.	Not delegated.			
The Code Appendix 1, Section XV	Campus Security: Subject to applicable provisions of state law and such policies as may be adopted by the Board of Governors or the Board of Trustees, the chancellor shall be responsible for the maintenance of campus security.	Not delegated.			
The Code Appendix 1, Section XVI	Auxiliary Enterprises, Utilities, And Miscellaneous Facilities: Pursuant to applicable provisions of state law and policies of the Board of Governors, the Boards of Trustees of affected constituent institutions shall have authority and responsibility for the adoption of policies applicable to and the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities [G.S. 116-35], and child development centers [G.S. 116-38].	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance And Vice Chancellor for Student Affairs	Letter
UNC Policy 200.1(5)(c)(iv)(5)	Dual Members and Conflicts of Interest: The restrictions on entering into a contract in paragraph c.iii., do not apply if the person with the substantial interest does not participate in making or administering the contract and The committee of the Board of Governors or of the relevant Board of Trustees designated pursuant to paragraph d.i., below, finds that the contract is in the best interest of the University.	Not delegated.			
UNC Policy 100.3(II)	Waiver from University Policies, Regulations, and Guidelines: The chancellor of a constituent institution may, after consulting the Board of Trustees,	Not delegated.			

	submit to the president a request for waiver from the requirements of a University policy, regulation, or guideline. . . . Each request shall include, at a minimum, the following: . . . A declaration that the constituent institution's chancellor and Board of Trustees support the waiver request.				
UNC Policy 200.1.(5)(d)(i)	Conflicts of Interest: Each chair of a Board of Trustees shall designate a standing committee to determine whether a potential conflict is a permissible or impermissible activity and to make recommended findings as to whether this policy has been violated.	Not delegated.			
UNC Policy 200.4(II)	Assessment Process for the Chief Executive and Governing Boards of the University of North Carolina: The Board of Trustees of each constituent institution will conduct a self-assessment every four years at a time determined by the Chairperson of the Board of Trustees after consultation with the Chancellor and the President.	Not delegated.			
UNC Policy 200.4(IV)	Assessment Process for the Chancellor: (2) In the second spring after the appointment of the chancellor, and every four years thereafter, the Board of Trustees will review the performance of the chancellor. An assessment committee of the Board of Trustees will ask each trustee to fill out a questionnaire developed by the President's office. The results will be shared with the President and reviewed in a meeting of the chancellor, the chair of the Board of Trustees and the President. (3) In the fourth spring after the chancellor's appointment, and every four years thereafter, the President and the Board of Trustees will conduct a comprehensive review of the chancellor's performance that will include major	Not delegated.			

	<p>campus constituencies such as faculty, students, and staff. The chairperson of the Board of Trustees will appoint an assessment committee.</p> <p>For chancellors appointed prior to 2001 who have had a review by the Board of Trustees under the previous assessment policy, the reviews designated in paragraphs 2 and 3 above will be conducted in the spring of years in accordance with the existing biennial and quadrennial schedule.</p>				
UNC Policy 200.4.2(G)	<p>Guidance for Fourth Year Comprehensive Performance Review of the Chancellor: The chair of the Board of Trustees appoints an assessment committee comprised of selected trustees or the full board</p>	Not delegated.			
UNC Policy 200.7(IV)	<p>Policy on Duties, Responsibilities, and Expectations of Board Members: Receive complaint against a board member from the BOG Committee on University Governance and follow directions for appropriate action.</p>	Not delegated.			
UNC Policy 200.7(IV)(D)	<p>Policy on Duties, Responsibilities, and Expectations of Board Members: Receive complaint against a Board member from the BOG Committee on University Governance and follow directions for appropriate action.</p>	Not delegated.			
UNC Policy 200.8	<p>Policy on Chancellor Searches and Elections: The Board of Trustees, following receipt of the report of the search committee shall, subject to the direction of the president, recommend an unranked slate of no fewer than two (2) candidates for consideration by the president in designating a nominee for the chancellorship.</p>	Not delegated.			
UNC Policy 300.1.1	<p>Policy on Senior Academic and Administrative Officers: The appointments of these Tier I SAAOs are</p>	Not delegated.			

	subject to the approval of the Board of Governors or a Board of Trustees delegated such authority by the Board of Governors				
UNC Policy 300.1.1	Policy on Senior Academic and Administrative Officers: The compensation of Tier I SAAOs shall be set by the Board of Governors or a Board of Trustees delegated such authority by the Board of Governors	Not delegated.			
UNC Policy 300.1.1	Policy on Senior Academic and Administrative Officers: The authority to make appointments and determine salaries for positions within Section I.B(1) is exercised by the Board of Governors, on recommendation of the president, or a Board of Trustees delegated such authority by the Board of Governors;	Not delegated.			
UNC Policy 300.1.1	Policy on Senior Academic and Administrative Officers: The authority to make appointments and determine salaries for positions within Section I.B(2), such authority is delegated by the Board of Governors to the Chancellors and the respective Boards of Trustees of the constituent institutions	Delegated to Chancellor.	Proposed Resolution	Executive Council And Associate Vice Chancellor for Human Resources and Payroll	Letter
UNC Policy 300.1.2	Evaluation of Positions for Designation as Senior Academic and Administrative Officer: The Board of Governors shall appoint and fix the compensation of all persons nominated to fill the presidency, vice presidencies, presidential staff positions, chancellorships, vice chancellorships, and deanships. With respect to other positions designated by the board as senior academic and administrative officers, the authority to make appointments and determine salaries shall be delegated to the Chancellors and	Delegated pursuant to UNC Code and Policy Manual as specified in this document.			

	the Boards of Trustees of the constituent institutions.				
UNC Policy 300.1.2	<p>Evaluation of Positions for Designation as Senior Academic and Administrative Officer: The Board of Governors shall appoint and fix the compensation of all persons nominated ... to other positions designated by the board as senior academic and administrative officers*, the authority to make appointments and determine salaries shall be delegated to the Chancellors and the Boards of Trustees of the constituent institutions.</p> <p>*SAAO Tier 2</p>	Delegated to Chancellor.	Proposed Resolution	<p>Executive Council</p> <p>And</p> <p>Associate Vice Chancellor for Human Resources and Payroll</p>	Letter
UNC Policy 300.1.6	<p>Policy on Administrative Separation and/or Retreat to a Faculty Position: Every Board of Trustees and the Board of Governors must establish a policy governing separation and/or retreat of administrators.</p>	Not delegated.			
UNC Policy 300.1.6[R]	<p>Regulation on Administrative Separation: Any exception to these (Administrative Separation and Return to a Tenured Faculty Position) provisions must be approved by the Board of Trustees and by the President</p>	Not delegated.			
UNC Policy 300.1.6[R]	<p>Regulation on Administrative Separation: Any exception (regarding Reappointment of an Administrator without Faculty Return Rights) must be approved by the Board of Trustees and by the President.</p>	Not delegated.			
UNC Policy 300.1.6[R]	<p>Regulation on Administrative Separation: Any agreement that results in a longer period of compensation must be approved by the Board of Trustees or the Board of Governors for employees of UNC General Administration.</p>	Not delegated.			
UNC Policy 300.1.6.2	<p>Administrative Separation of the President and the Chancellor: At the conclusion of the research leave, the</p>	Not delegated.			

	former chancellor shall submit a summary report to the president, the Board of Governors, and the applicable Board of Trustees.				
UNC Policy 300.2.1	Exempt Employees: The Board of Trustees of each constituent institution shall adopt for the institution personnel policies for covered positions within the institution that are consistent with all provisions of these policies. Any proposed provision in an institutional policy statement that in any manner adds to or modifies the provisions of these policies must be submitted for review and approved by the President prior to its adoption and implementation.	Not delegated.			
UNC Policy 300.2.14	Non-Salary and Deferred Compensation: The policy shall either provide specified non-salary compensation to a defined category of employees uniformly or shall require approval by the Board of Trustees or Board of Governors upon recommendation by the Chancellor or president, respectively, regarding non-salary compensation granted to an individual employee before non-salary compensation is provided.	Not delegated.			
UNC Policy 300.2.14	Non-Salary and Deferred Compensation: An exception permitting non-salary compensation to be funded from State funds may be approved by a Board of Trustees or the Board of Governors only when permitted by the Office of State Budget and Management.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter
UNC Policy 300.2.14[R]	Regulation for Deferred Compensation for Chancellors: Contributions to a Chancellor's qualified retirement plan. Such a deferred compensation plan may be suspended or discontinued at the discretion of the Board of Governors or the Board of Trustees.	Not delegated.			

UNC Policy 300.4.2 and 300.4.2.1[G]	Anti-Nepotism Reports: The chancellor shall report annually to the Board of Trustees, at the regular meeting falling closest to the date of commencement, concerning all specific cases during the preceding year in which the terms of this policy were applied.	Not delegated.			
UNC Policy 300.5.1	Political Activities of Employees: The Board of Trustees of each constituent institution shall adopt policies governing political activities of employees. Policies adopted or substantively amended by a Board of Trustees regarding political activities of employees shall be effective upon approval by the president.	Not delegated.			
UNC Policy 300.5.2	Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office): Petitions by University employees other than senior academic and administrative officers, with the exception of petitions concerning candidacy for the General Assembly, shall be addressed to and resolved by the appropriate Board of Trustees and shall be transmitted through the Chancellor.	Not delegated.			
UNC Policy 300.5.2(III)(B)	Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office): If the petition [concerning candidacy for or service in the General Assembly] pertains to a chancellor, it shall be accompanied by a recommendation of the Board of Trustees.	Not delegated.			
UNC Policy 300.5.2(III)(B)	Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office): Petitions by University employees other than senior academic and administrative officers, with the exception of petitions concerning candidacy for the General Assembly, shall be addressed to and resolved by the appropriate Board of Trustees and shall be transmitted through the chancellor.	Not delegated.			

UNC Policy 300.5.2(V)(C)	Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office): The Board of Trustees of each constituent institution shall adopt policies governing public officeholding by employees. Policies adopted or substantively amended by a Board of Trustees regarding public officeholding by employees shall be effective upon approval by the president.	Not delegated.			
UNC Policy 300.8.3[R]	Regulation on Institutional Occupational Safety and Health Programs: The institutional safety and health director is responsible for preparing a campus safety and health plan, in accordance with standards and requirements of the NC DOL, G.S. 143-582, and the OSHR Workplace Requirements for Safety and Health. This plan shall be shared at least annually with the institution's Board of Trustees.	Not delegated.			
UNC Policy 300.8.3[R]	Regulation on Institutional Occupational Safety and Health Programs: The institutional safety and health director shall make a written report at least annually to the institution's chancellor, Board of Trustees, and UNC System Office associate vice president of safety and emergency operations on the major activities and programs conducted as part of the institution's safety and health function.	Not delegated.			
UNC Policy 300.8.5 and 300.8.5[R](IX)	Policy on Diversity and Inclusion Within the University of North Carolina: Each constituent institution, through its chancellor, D&I Officer, or other chancellor designee, shall provide a report at least annually to the Board of Trustees on D&I-related information as identified by the president or president's designee.	Not delegated.			
UNC Policy 400.1.5[R]	Regulation Related to Fostering Undergraduate Student Success: An	Not delegated.			

	institution with compelling reasons as to why a program's requirements must exceed 120 semester credit hours may petition to have an exception approved by its Board of Trustees. Compelling reasons include, but are not limited to: programmatic accreditation standards; licensure requirements; and other state, federal, or professional regulations.				
UNC Regulation 400.5[R]	Regulation on Planning, Establishing, and Reviewing Centers and Institutes in the University of North Carolina: Administrative campuses must have policies that address the following aspects of the establishment of institutional centers and institutes...Clear process for granting and notification of the establishment of a center or institute, which includes approval by the Chancellor and Board of Trustees and notification to the Office of Research and Graduate Education at UNC General Administration prior to establishment	Not delegated.			
UNC Regulation 400.5[R]	Regulation on Planning, Establishing, and Reviewing Centers and Institutes in the University of North Carolina: The Board of Trustees of each administrative campus has the authority to approve campus level policies on centers and institutes and to authorize establishment and discontinuation of institutional centers and institutes consistent with these regulations and the directions of the president or the Board of Governors. The Board of Trustees may delegate to the Chancellor the authority to approve the discontinuation of institutional centers and institutes.	Not delegated.			
UNC Regulation 400.6.1[R]	Regulation for the Establishment of an Early College High School on UNC Campuses: An agreement may be made between a local school district's Board of Education and a constituent institution and	Not delegated.			

	must be approved by the appropriate entities and signed by the chair of the Board of Education; superintendent of the collaborating school district; chair of the campus Board of Trustees; and the chancellor of the institution.				
UNC Policy 500.2	Patent and Copyright Policies: The inventor shall receive not less than fifteen percent (15%) of the gross royalties derived from licensing or income from assignment or sale of each patent resulting from his invention and owned by the constituent institution pursuant to these policies. With this limitation, the exact proportion shall be determined in accordance with the institution's patent procedures as approved by the institution's Board of Trustees and the President.	Not delegated.			
UNC Policy 500.2	Patent and Copyright Policies: The Board of Trustees of each constituent institution shall adopt patent procedures that are consistent with and implement these policies, taking into account the nature and scope of the institution's programs.	Delegated to Chancellor.	Proposed Resolution		
UNC Policy 600.1.1	Policy on Design, Construction, and Financing of Capital Improvement Projects: The Board of Governors delegates to the president and the boards of trustees the power to approve capital improvement projects that are funded entirely with non-General Fund money that are projected to cost less than \$750,000.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter
UNC Policy 600.1.1	Policy on Design, Construction, and Financing of Capital Improvement Projects: The Board of Governors delegates to the president and the Boards of Trustees authority to approve advance planning of capital improvement projects, where the advance planning effort is to be funded entirely with non-General Fund money." Unless otherwise indicated by the	Not delegated.			

	Board of Governors, this delegation of authority to boards of trustees to approve advance planning efforts shall not be further delegated.				
UNC Policy 600.1.1	Policy on Design, Construction, and Financing of Capital Improvement Projects: Upon request by the Board of Trustees of a constituent institution or affiliated entity and with the recommendation of the president, the Board of Governors may delegate to the Board of Trustees of a constituent institution or affiliated entity additional authority to approve capital improvement projects funded entirely with non-General Fund money that are projected to cost less than \$1,000,000.	Not delegated.			
UNC Policy 600.1.1.1[G]	Guideline on the Delegation of Authority to Execute Construction Contracts: As of December 18, 1972, the President has delegated to each chancellor the authority and responsibility for execution of construction contracts, in conjunction with the performance by the Board of Trustees of its enumerated responsibilities.	Not delegated.			
UNC Policy 600.1.3(III)(B)	Policy on Authority for Real Property Transactions: 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 additional authority to acquire and dispose of an interest in real property other than a lease if valued at less than \$1,000,000, and/or, consistent with G.S. 116- 31.12, to acquire and dispose of real property by lease if the lease is valued annually at less than \$750,000 and has a term of not more than 10 years.	Delegated to Chancellor.	Proposed Resolution	Vice Chancellor for Administration and Finance	Letter
UNC Regulation 600.1.3[R](III)	Required Authorizations for Real Property Transactions:	Not delegated.			

	An instrument involving acquisition or disposition of real property by lease using additional delegated authority authorized by a constituent institution's Board of Trustees shall be executed by the chancellor or designee.				
UNC Regulation 600.1.3[R](IV)	<p>Requirements for Lease Transactions Using Additional Delegated Authority: The requirements in this section IV apply to acquisitions and dispositions of real property by lease by constituent institutions that have been granted additional delegated authority for lease transactions by the Board of Governors.</p> <p>Acquisition by Lease Process. If the lease cost and term are not within the delegation set by the Board of Trustees of the constituent institution, the campus property office shall seek approval of the proposed lease by the Board of Trustees via a request by the vice chancellor for business affairs.</p> <p>Disposition by Lease Process. The proposed disposition of real property by lease must be endorsed by the chancellor or designee and the Board of Trustees of the constituent institution.</p>	Not delegated.			
UNC Policy 600.2.1	Endowment Funds: The Board of Trustees of each constituent institution shall establish and maintain an endowment fund for the constituent institution.	Delegated to the Board of Trustees for the Endowment Fund for Western Carolina University	Proposed Resolution		
UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: An institutional Board of Trustees, to be eligible for an allocation from the President under the schedule set forth herein, shall establish a Distinguished Professors Endowment Fund (hereafter "Endowment Fund") to be administered in	Not delegated.			

	accordance with N.C.G.S. §116- 36 and private contributions received for this purpose shall be deposited to that Endowment Fund, together with the challenge grant from the Trust Fund. Federal grant funds do not meet the definition of “private gift” or “private contribution.”				
UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: The Board of Trustees may name the endowed chair or chairs in honor of a donor, benefactor, or other person or organization.	Not delegated.			
UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: The Board of Governors delegates the authority to designate a Distinguished Professorship, including Distinguished Scholar, and Distinguished Fellow, as time limited to the Boards of Trustees of those constituent institutions designated as Special Responsibility Constituent Institutions with Management Flexibility to Appoint and Fix Compensation.	Not delegated.			
UNC Policy 600.2.5; 600.2.5.1[G]; 600.5.2.5[R]	Audit Reports: The Board of Trustees shall receive annual independent financial audit reports from each of the private foundations, associations, or clubs whose primary purpose is to provide financial support to the institution.	Not delegated.			
UNC Policy 600.2.5.2[R]	Regulation on Required Elements of University-Associated Entity Relationship: An Associated Entity (including any subsidiary or affiliate of an existing Associated Entity), seeking to be associated with a constituent institution must be approved in writing by the Chancellor and the Board of Trustees of the constituent institution	Not delegated.			
UNC Policy 600.2.5.2[R]	Regulation on Required Elements of University-Associated Entity Relationship: The head of the Approving	Not delegated.			

	Institution may neither remove the approved status of an Associated Entity of that Approving Institution, nor decline to extend such approved status beyond the expiration of the Associated Entity's then-current term, without advance written approval of the Board of Governors and the president, or Board of Trustees of the Approving Institution and the president, depending on whether the Approving Institution is the UNC System Office or a constituent institution.				
UNC Policy 600.3.4	<p>Granting of Management Flexibility to Appoint and Fix Compensation: The president delegates to the Board of Trustees for each constituent institution the authority to execute the following personnel actions for faculty and EHRA non-faculty instructional, research, and public service (IRPS) employees:</p> <ol style="list-style-type: none"> 1. Permanent and temporary appointments and salaries. 2. Promotion, including faculty rank changes but excluding tenure. 3. Permanent and temporary salary increases or stipends. <p>The president further authorizes the boards of trustees for the constituent institutions to delegate any of these actions to their Chancellors, or to specific designees of the Chancellor by title, as they deem appropriate.</p>	Delegated to Chancellor.	Proposed Resolution	Associate Vice Chancellor for Human Resources and Payroll	Letter
UNC Policy 600.3.4	<p>Granting of Management Flexibility to Appoint and Fix Compensation: The Board of Trustees is delegated the authority to execute the following personnel actions, which it shall not delegate further unless the president or the Board of Governors shall allow:</p> <ol style="list-style-type: none"> 1. Upon recommendation of the Chancellor, appoint and fix the salary and non-salary compensation for all vice 	Not delegated.			

	<p>Chancellors and other Tier 1 senior academic and administrative officers with the exclusion of the Chancellor.</p> <p>2. Approve appointments and salary changes for SAAO Tier 1 appointments, with the exclusion of the Chancellor.</p> <p>3. Upon recommendation of the Chancellor, establish salary ranges for SAAO Tier 2 positions, consistent with both the salary ranges and the policies established by the Board of Governors and the regulations and guidelines established by the president. The institution may otherwise elect to adopt salary ranges established by the UNC General Administration for these positions.</p> <p>4. Upon recommendation of the Chancellor, and consistent with the approved tenure policies and regulations of each institution, confer permanent tenure.</p>				
UNC Policy 600.3.4	<p>Granting of Management Flexibility to Appoint and Fix Compensation: The Board of Trustees is also delegated the authority for the following personnel actions, which it may further delegate to the Chancellor and may authorize the Chancellor to further delegate on a limited basis:</p> <p>1. Establish faculty salary ranges within different academic disciplines, based on relevant data.</p>	Delegated to Chancellor.	Proposed Resolution	Associate Vice Chancellor for Human Resources and Payroll	Letter
UNC Policy 600.3.4	<p>Granting of Management Flexibility to Appoint and Fix Compensation: The Board of Trustees is also delegated the authority for the following personnel actions, which it may further delegate to the Chancellor and may authorize the Chancellor to further delegate on a limited basis:</p>	Not delegated.			

	2. Appoint and fix the compensation for faculty awarded the designation of Distinguished Professors. 3. Establish IRPS positions and salary ranges				
UNC Policy 600.5.4	Consulting Contracts Report: The Board of Trustees shall receive annual reports regarding contracts for consulting services.	Not delegated.			
UNC Policy 700.1.1	Policy on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System: Any constituent institution may set admissions requirements that exceed the minimums established in this policy upon the approval of their board of trustees.	Delegated to Chancellor.	Proposed Resolution	Director of Undergraduate Admissions	Letter
UNC Policy 700.1.1.1[R]	Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System: Each campus shall establish policies describing the admission of students requiring special consideration with regard to MCR or students for whom Chancellor's exceptions are made to MAR.... Policies must include faculty participation in the decision-making process and must be approved by the campus Board of Trustees.	Delegated to Chancellor.	Proposed Resolution	Director of Undergraduate Admissions	Letter
UNC Policy 700.1.1.1[R]	Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System: Any campus may set admissions requirements that exceed minimums established by the Board of Governors upon the approval of their campus Board of Trustees.	Delegated to Chancellor.	Proposed Resolution	Director of Undergraduate Admissions	Letter
UNC Policy 700.1.1.2[R]	Regulation on Transfer Student Admission: Each campus shall establish policies describing the admission of transfer students for whom exceptions are made to MCR and/or MAR. Criteria	Delegated to Chancellor.	Proposed Resolution	Director of Undergraduate Admissions	Letter

	<p>pertaining to admissions exceptions shall be developed with faculty participation and approved by the campus Board of Trustees.</p>				
UNC Policy 700.10.1	<p>Policy on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores: UNC System constituent institutions shall award appropriate credit to undergraduates who have earned a Qualified Advanced Course Examination Score, as defined in the Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores, Section 700.10.1[R] of the UNC Policy Manual. Any exceptions to this policy must be approved by the institution's Board of Trustees in accordance with the guidance described in Section 700.10.1[R] of the UNC Policy Manual.</p>	Not delegated.			
UNC Policy 700.10.1[R]	<p>Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores: UNC System constituent institutions shall award Appropriate Credit to undergraduates who have earned a Qualified Advanced Course Examination Score. An institution with Compelling Reasons as to why a score higher than three must be required for a student to receive Appropriate Credit may petition to have an exception approved by its Board of Trustees. Compelling Reasons must be based on analyses of Academic Outcomes</p>	Not delegated.			
UNC Policy 700.10.1[R]	<p>Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores: If an institution elects to discontinue the awarding of credit for an AP Exam for which credit is awarded during the 2018- 19 academic year, however, approval must first be provided by the institution's Board of Trustees</p>	Not delegated.			

UNC Policy 700.10.1[R]	Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores: Any institutional policy or practice of awarding credit on the basis of scores for any Advanced Course Examination in place prior to the implementation of the policy (during the 2018-19 academic year) shall not be discontinued thereafter without approval of the institution's Board of Trustees	Not delegated.			
UNC Policy 900.1[G]	Guideline on the Residence Status of Students Receiving Full Scholarships: Constituent institutions may consider as resident students, for tuition and all other purposes, nonresident students who receive a full scholarship from entities recognized by the institution. Participation by constituent institutions is optional. Constituent institutions participating must do so based on a resolution by its Board of Trustees. The resolution of the Board of Trustees can be approved at any time.	Not delegated.			
UNC Policy 1000.1.1	Establishing Tuition and Fees: The Board of Trustees may make recommendations related to the establishment and maintenance of tuition and fees.	Not delegated.			
UNC Policy 1000.2.2.1[R]	Regulation on the Waiver of Tuition and Fees for Faculty and Staff: The waiver of tuition for an employee shall be limited to three courses per academic year. The waiver of fees for an employee may be limited according to institutional policy determined by the Board of Trustees of each employing institution.	Delegated to Chancellor.	Proposed Resolution		
UNC Policy 1100.1	Athletics Report: The chancellors shall submit an annual report to the Board of Trustees of the constituent institutions with a copy to the President, who will report to	Not delegated.			

	the Board of Governors. The annual report shall be designed according to criteria and format defined by the Office of the President and shall include specified elements.				
UNC Policy 1100.1	Athletics Admissions Exceptions Report: The chancellors shall report to the Board of Trustees the student-athlete exceptions to the institution's undergraduate admissions criteria.	Not delegated.			
UNC Regulation 1100.1.1[R]	Athletics Financial Reports: The Board of Trustees of each institution, through the chancellor, must annually receive and review the financial indicators contained in the NCAA Dashboard "Presidential View" for the institution as described in Section II.A.2., above. This "Presidential View" data should be reported on an annual basis and shall include the most recent year's data as well as five-year trend data. The Board of Trustees shall also receive and review the annual institutional budget for intercollegiate athletics, including major sources of revenue and expenses. This budget report shall include specified elements.	Not delegated.			
UNC Policy 1100.3	Head Coaches' and Athletic Directors' Contracts: No contract of employment between an institution and a head athletic coach or an athletic director which is for a term longer than one year shall be valid unless and until all terms and conditions of the contracts have been approved by the Board of Trustees	Not delegated.			
UNC Policy 1300.1	Policy on Illegal Drugs: Each Board of Trustees shall adopt a policy on illegal drugs applicable to all students, faculty and staff	Not delegated.			
UNC Policy 1300.7	University Enterprise Risk Management and Compliance: Each constituent institution shall establish an enterprise risk management process that aligns with the	Not delegated.			

	institution's programs, activities, and management systems and that supports the institution's strategic and other goals. The enterprise risk management processes established at each constituent institution shall include components and appropriate procedures for: . . . Providing periodic updates to the chancellor and the Board of Trustees.				
UNC Policy 1300.9	Policy on Providing Safety and Security Presentations to University Boards: The chancellor of each constituent institution or the chancellor's designee shall provide an annual presentation to the constituent institution's Board of Trustees with relevant data and information concerning campus security, the safety of students and others, sexual assault, alcohol and drug use, risk management, and associated institutional policies.	Not delegated.			
UNC Policy 1400.1	Information Technology Governance: The Board of Governors and the Board of Trustees of each constituent institution shall assign responsibility for oversight of IT governance to a standing committee of the board with audit responsibility.	Delegated to Board of Trustees Finance and Audit Committee	Proposed Resolution		
UNC Policy 1400.2	Information Security: The Board of Governors and the Board of Trustees of each constituent institution shall assign responsibility for oversight of the institution's information security program to a standing committee of the appropriate board with audit responsibility.	Delegated to Board of Trustees Finance and Audit Committee	Proposed Resolution		

The phrase "Proposed Resolution" refers to the "Proposed Resolution of the Board of Trustees of Western Carolina University to Amend and Restate Delegated Authority from the University of North Carolina Board of Governors."

The "letter" referenced throughout will be drafted for the Chancellor's signature upon the approval of the "Resolution of the Board of Trustees of Western Carolina University to Amend and Restate Delegated Authority from the University of North Carolina Board of Governors" by Board of Trustees.