



Delegation of Authority Policy

PURPOSE OF POLICY

The purpose of this policy is to ensure efficient operation through careful delegation of authority to promote fiscal and policy integrity throughout the university. This policy defines the downward transfer of formal authority from the Board of Trustees to University Officials and further to subordinates of those officials to achieve university objectives.

SCOPE

This policy shall apply to Washington Technology University, its Board of Trustees, and WTU officers.

DEFINITIONS

Board of Directors – A group of individuals elected to represent shareholders of a company. In the context of Washington Technology University and its bylaws, the Board of Directors refers to the individuals representing the owners of Washington Technology University and are independent of the Board of Trustees.

Board of Trustees - An appointed group of individuals that has overall responsibility for the management of an organization. The board of trustees is the governing body of an organization and seeks to achieve the mission of the organization and the best interest of stakeholders.

Instrument – For the purpose of this policy, an instrument is defined as any contract obtaining a financial asset from one entity and a financial liability or equity instrument of another entity.

POLICY

1. Authority of the Board of Trustees; Appointment of the President of the University

1.1. Board Authority

The Board of Trustees is the final University authority and has full control of the University and its property of various kinds. The Board may take any and all Board actions as it determines necessary or appropriate to the extent permitted by law. Board actions have precedence over other policies, standards, directives and other actions of the University and its constituent parts. Any policies, standards, directives and other actions of the University and its constituent parts shall be consistent with Board actions. The Board may review and intervene in any and all aspects of the University; modify any policy, standard, or directive; amend or rescind any existing policy, standard or directive; and enact and issue such policies, standards and directives as it deems proper for the University. The Board shall adopt a mission statement for the University in consultation with the faculty, students and staff members.

1.2. Appointment of the President of the University

In consultation with the Board of Directors, or the Board of Director's designee, the Board shall appoint and employ a President of the University. Except in the case of an interim or acting president, the hiring

committee for the president of the University shall include representatives of the university community. The President reports exclusively to the Board, and the Board supervises the President. The Board shall prescribe the President's compensation and terms and conditions of employment and is responsible for the reappointment or removal of the President. The President shall perform such duties as are assigned by the Board. Except as otherwise provided Board action, the President is the executive and governing officer of the University and President of the faculty. The President shall, from time to time, report to the Board all significant matters within the President's knowledge related to the affairs of the University.

1.3. University Budget

The Board shall adopt the budget of the University.

1.4. Tuition and Fees

1.4.1. The Board shall determine tuition and mandatory enrollment fees.

1.4.2. The President determines all other fees, fines and charges, after providing notice to the Board. In arriving at a determination of fees, fines and charges, the President shall consult with employees and students as the President deems appropriate.

1.5. Student Conduct

The Board has the authority to establish written standards of student conduct in consultation with the President, faculty and students.

1.6. Employees and Volunteers

1.6.1. The Board has the authority, to appoint and employ any personnel as are necessary or appropriate and establish their compensation and other terms and conditions of employment. The Board also has the authority to appoint volunteers as necessary or appropriate and establish the terms and conditions of the activities of such appointed volunteers. The Board has delegated the authority described in this subsection as set forth in Board actions.

1.6.2. The Board has the authority to establish written codes of conduct for instructional, research, administrative, professional, trade, occupational and other personnel, including volunteers.

1.7. Business and Administrative Affairs

The Board retains authority for the following:

1.7.1. The approval of the naming of University buildings or outdoor areas in recognition of individuals or organizations.

1.7.2. The approval of the execution of instruments relating to real property.

1.7.3. The approval of the appointment of external auditors.

1.7.4. The approval of a capital project budget for architects, construction managers, engineers and other professional consultants; and approval of any increase to a board-approved capital project budget that causes the total of all increases to the capital project budget.

1.7.5. The approval of the execution of instruments relating to any borrowing or debt finance transactions.

1.7.6. The approval of the execution of any other instruments, including but not limited to instruments related to the acquisition, disposal or provision of goods and services.

1.7.7. The approval of the execution of any instrument that the President, Treasurer, Chair of the Board of Trustees, or a majority of the Trustees deems appropriate for consideration by the

Board or a Board committee, so long as the instrument has not been executed.

1.8. Academic Programs; Degrees; Admissions

- 1.8.1. The Board has the authority to establish, eliminate, control or substantially reorganize academic programs and units of operation. Any significant change in the University's academic programs as defined by any accrediting body either regional or national, must be approved by the Board prior to submission to the Commission.
- 1.8.2. The Board confers academic degrees, certificates and other forms of recognition upon the recommendation of the faculty. Such academic degrees, certificates and other forms of recognition are granted in the name of the Board of Trustees of the Washington Technology University and are executed by the Board Chair and the University President. The Board reserves the right to review and approve the granting of any degree, certificate or recognition. The Board shall have the exclusive authority to approve honorary degrees.
- 1.8.3. The Board has the authority to establish standards, qualifications, policies and practices relating to admission to study at the University and the curriculum, grading, credits, scholarships, and academic standards of the University. Except as set forth in law or Board action, the faculty (the "president and professors") has the immediate government and discipline of the university and the students therein and the authority to prescribe the course of study to be pursued in the University and the textbooks to be used. The faculty shall have primary authority over choice of method of instruction; subject matter to be taught; academic standards for admitting students; and standards of student competence in a discipline.

1.9. Policies, Standards and Directives

1.9.1. Governing Documents

The University shall have the following governing documents:

- 1.9.1.1. Bylaws of Washington Technology University, policies, standards, directives and other actions approved by the Board of Trustees or a committee of the Board as appropriate ("Board actions").
- 1.9.1.2. Policies, standards and directives approved by the President of the University regarding matters within the authority of the President ("Presidential actions").

1.9.2. Force of Law

Emergency and Temporary Actions. Board actions shall have the force of law to the extent set forth therein. Emergency and temporary Presidential actions may have the force of law to the extent set forth therein. Any Board action or Presidential action that is intended to have the force of law must include an opportunity for appeal.

1.9.3. Enforcement

Any Board action or Presidential action may be enforced by the University through internal procedures and in any court of competent jurisdiction. All Board actions and Presidential actions are binding on University employees, students, volunteers, contractors and members of the public, except as set forth therein.

1.9.4. Posting

After approval, emergency and temporary Board actions and Presidential actions shall be posted on the University website in a manner reasonably calculated to provide public notice

of the approval.

2. Authority of the President of the University

2.1. Executive and Governing Officer; Delegation

The President of the University is the executive and governing officer of the University, except as otherwise provided by statute or Board actions. Subject to the supervision of the Board and Board action, the President shall direct the affairs of the University. The authorities and responsibilities of the President of the University include, but are not limited to, the authorities and responsibilities set forth in and modified by section 4.1 and this section 4.2, and the President may delegate any authorities and responsibilities, except as provided by Board actions. Any delegation must be consistent with Board actions. The President remains responsible for the proper functioning of the University, notwithstanding any delegation.

2.2. Policies, Standards and Directives; Consultation

The President of the University shall formulate, prescribe and issue Presidential actions regarding matters within the authority of the President when the Board or the President deems it necessary or appropriate. Any Presidential actions are subordinate to and must be consistent with Board actions. In carrying out these duties, the President shall consult with the faculty, other employees, and students as deemed appropriate by the President. Consultation shall not remove from the President the authority and the responsibility vested in the President by law and Board actions.

2.3. Emergency and Temporary Actions; Technical Corrections

The President of the University shall establish emergency and temporary policies, standards and directives when the Board or the President deems it necessary or appropriate. Such policies, standards and directives may have the scope and force of Board actions and must be reported to the Board expeditiously. Pursuant to expedited procedures, the President of the University may amend Board actions and Presidential actions in order to correct typographical errors, make address or formatting changes, or clarify language without changing their effect. Such amendments must be reported to the Board quarterly. The President may make expedited repeals of Board actions (upon notice to the Board) and Presidential actions, provided that expedited repeals of Board actions must be ratified at the next Board or Executive Committee meeting.

2.4. Committees, Councils and Advisory Groups

The President of the University shall establish and define the charge of any and all University committees, councils, and advisory groups, except as provided in Board action. The establishment and charge of any and all University committees, councils and advisory groups shall be consistent with law and Board actions. The recommendations and reports of all committees, councils and advisory groups shall be made to the President. The President shall inform the Executive Committee of the Board regarding significant recommendations and reports related to the affairs of the University. Upon request by the Chair of the Board or a majority of the Trustees, the President shall provide the Board with a recommendation or report of a University committee, council or advisory group.

2.5. Students

Subject to Board action, the President is responsible for development and administration of University policies and rules governing the role of students and their conduct. In carrying out this responsibility, the President shall take into account the views of students, faculty, and others. The guidelines for student conduct which set forth prohibited conduct and provide for appropriate disciplinary hearings

and sanctions for violations of institutional rules must be consistent with standards of procedural fairness. The Board recognizes and affirms the importance of active student involvement in the deliberative and decision-making processes.

2.6. University Personnel

- 2.6.1. The President of the University shall act for the Board of Trustees regarding all personnel and employment matters. Subject to Board action, the President has the exclusive authority to and shall establish necessary or appropriate written policies, standards and directives covering all employees not represented by a collective bargaining organization and necessary or appropriate written policies, standards and directives covering employees represented by a collective bargaining organization, subject to any legal obligation to negotiate the terms and conditions of such policies, standards and directives with the exclusive representative of the relevant bargaining unit. Upon request by the Chair of the Board or a majority of the Board, the President shall provide the Board with requested information regarding personnel and employment matters, including labor relations and collective bargaining.
- 2.6.2. In a manner consistent with applicable state law and applicable collective bargaining agreements, the President may appoint any instructional, research, administrative, professional, trade, occupational and other personnel as are necessary or appropriate and establish their compensation and other terms and conditions of employment.
- 2.6.3. The President may appoint volunteers as necessary or appropriate and establish the terms and conditions of the activities of such appointed volunteers.

2.7. Execution and Administration of University Affairs

- 2.7.1. Except as provided by Board action, the President of the University shall act for the Board regarding the execution and administration of instruments and the affairs of the University. Notwithstanding the dollar limits specified in section 1.0 above, the President shall act for the Board of Trustees regarding the execution and administration of all instruments, business affairs, and operations relating to: a. Acquisition of electricity, natural gas, sewer, water, and all other utility services;
- 2.7.2. The acquisition of goods and services made by participating in contracts entered into by group purchasing organizations or pursuant to collaborative purchasing initiatives with public or non-profit entities.
- 2.7.3. The acquisition of fixtures, equipment and furnishings that are included in capital project budgets that have been authorized by the Board of Trustees.
- 2.7.4. The acquisition of goods and services for sponsored research programs when the source of the goods or services is directed by the sponsor, or the sponsor retains title to the goods acquired.
- 2.7.5. The settlement of claims or lawsuits brought against the University.
- 2.7.6. The acquisition of insurance or self-insurance.
- 2.7.7. Leases and licenses of real property and modifications thereto of up to 20 years.
- 2.7.8. The protection of the University's interests, property and operations in an emergency.
- 2.7.9. Actions and execution of documents necessary to establish legal entities, controlled by the University, through which the University may conduct business;
- 2.7.10. The execution of instruments or the conduct of business affairs where approval by the Board

or a Board committee is impractical due to time or other constraints. The President shall submit a report of any actions taken pursuant to this delegation to the Board of Trustees or its Executive Committee on or before the next regularly scheduled meeting.

2.8. Legal Action

The President of the University shall act for the Board of Trustees regarding all legal action necessary or appropriate to protect the interests of the University. However, no litigation shall be instituted against a public entity or official or in exercise of the power of eminent domain without approval by the Board of Trustees. The Board Chair may authorize the institution of other litigation.

2.9. Fees, Fines and Charges

Subject to Board action and applicable laws, the President of the University shall establish fees, fines, and charges after providing notice to the Board. In arriving at a determination of fees, fines and charges, the President shall consult with employees and students as the President deems appropriate. The President shall enforce the collection of tuition, mandatory enrollment fees, other fees, fines, charges, and all other amounts due to the University.

3. Authority of the Faculty

3.1. Role of the Faculty

The faculty, which consists of the President and the professors, has:

3.1.1. The immediate government and discipline of the university and the students therein, except as otherwise provided by law or action of the Board.

3.1.2. The authority, subject to the supervision of the Board, to prescribe the course of study to be pursued in the University and the textbooks to be used.

3.2. The President and the Professors

The President and the professors constitute the faculty. The President of the University is the president of the faculty. Shared governance, as a principle in American higher education, is embedded in longstanding practices, and reflects the regard for all stakeholders in the academic endeavors of the University.

3.3. Accrediting Bodies

Any significant change in the University's academic programs as defined by the Higher Education Coordinating Commission must be approved by the Board committee responsible for academic affairs prior to submission to the Commission.

4. Channel of Authority

The faculty and officers and employees of the University shall, through appropriate channels, be responsible to the President of the University and through the President to the Board of Trustees, except that the Treasurer, General Counsel and Secretary are responsible to the Board in relation to the business of the Board.