

## Delegation of Authority

### BACKGROUND

The Board of Trustees manages the affairs of the university by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the Board by law, or that are implied by law or are incident to such powers, rights and duties (ORS 352.029). The Board may delegate and provide for the further delegation of any and all powers and duties, subject to limitations expressly set forth in law. By resolution, the Board delegates the day-to-day operations of the university to the President, with the exception of activities reserved to the Board. This delegation of authority is reviewed annually with the Board.

### PROPOSED AMENDMENTS

There are two policy changes under consideration by Committees at the October 2018 meetings. If these changes are recommended by the Committees and approved by the Board, then staff are proposing concurrent adjustments to the Delegation of Authority to maintain consistency with those policies as well as minor changes for clarity and consistency with current statute. The proposed changes are showing in red text and strikethrough in Attachment 1.

Proposed changes address the following:

- President Emeritus Title (see section 1.b.): The Executive & Audit Committee will consider a policy setting out the process and criteria for awarding the title President Emeritus.
- Major capital projects (see sections 3.g. and 3.h.): The Finance & Administration Committee will consider a policy for reviewing and approving major capital projects and thresholds for changes to approval of project budgets.
- Formatting: For clarify, the list of items reserved to the Board are grouped by category.
- Statutory change (previously numbered 10): The reference to entering into an achievement compact with the Oregon Education Investment Board (OEIB) is outdated and proposed for deletion. In 2015, the Legislature discontinued the OEIB, replacing it with the Chief Education Office.

### RECOMMENDATION

The Executive & Audit Committee recommends to the Board that it adopt the resolution amending the Delegation of Authority as provided in Attachment 1.

RESOLUTION NO. \_\_\_\_



**Oregon State University**  
**Delegating Authority to the University**

Now, therefore, be it resolved by the Board of Trustees that it delegates to the President of the University or his or her designee authority to undertake all lawful activities to further the operation of the University, with the exception of the activities set forth below, which are reserved to the Board:

1. Personnel Matters
  - a. Presidential hiring, evaluation, compensation and removal;
  - b. Granting of the rights, privileges and title of President Emeritus; and
  - c. Adoption of standards governing outside employment and activities for employees, including potential conflict of interest and the public disclosure thereof, and procedures for reporting and hearing potential or actual conflict of interest complaints.
2. Governance
  - a. Election of Board officers;
  - b. Changes in the mission, purposes and statutory goals of the University; and
  - c. Amendments to the Board's bylaws.
3. Fiscal Matters
  - a. Sale or acquisition of real property over \$5 million;
  - b. Condemnation of real property;
  - c. Issuance of bonds;
  - d. Designation of the foundation to solicit contributions for the support of the University;
  - e. Determination of tuition and mandatory enrollment and incidental fees;
  - f. Adoption of the University budget;
  - g. Planning and implementation of a capital project with a total project cost anticipated to exceed \$5 million, including for architects, construction managers, engineers and other professional consultants; and
  - h. An increase to a Board-approved capital project budget where the total of all increases to the budget exceed \$2 million<sup>1</sup> or fifteen percent (15%) of the approval budget, whichever is greater.
4. Activities for which authority is granted in a Board Committee charter;
- ~~5. Sale or acquisition of real property over \$5 million;~~
- ~~6. Condemnation of real property;~~
5. Mediation with other Oregon public universities regarding a dispute on proposed new program or location;
- ~~7. Issuance of bonds;~~

October 25-26, 2018 Board of Trustees Meetings

