

**POLICIES**

**Issued:** June 8, 2018

**Responsible Official:** General Counsel

**Responsible Office:** Legal Affairs

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**Policy Statement**

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The Austin Peay State University Board of Trustees (“Board”) is vested with the power and authority to govern Austin Peay State University (University). The Board reserves to itself certain powers and authority, and may delegate authority as provided for in state law, the Board Bylaws and as set forth in Board or University policy.

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**Purpose**

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The purpose of this policy is to enumerate such powers and duties that it holds and to enumerate those powers and duties that the Board chooses to delegate to the President.

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**Procedures**

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**Powers and Duties of the Board**

The Board reserves to itself all authority necessary to carry out its legal and fiduciary duties and responsibilities, to include the authority to set the overall direction of the Institution. The Board shall exercise its authority consistent with state law, and Board and University policies.

No authority that the Board reserves to itself shall be exercised by any other person or body unless expressly authorized by Board policy or directive. The Board shall retain authority over matters unless otherwise specified as a delegation to the President. The Board’s powers and duties are expressly stated in its Bylaws to include the following:

- A. Determine the mission of the University and ensure that the mission is kept current and aligned with the goals of Tennessee’s master plan for public higher education;

- B. Select and employ the chief executive officer of the University and to confirm the appointment of administrative personnel, faculty, and other employees of the University and their salaries and terms of office;
- C. Prescribe curricula and requirements for diplomas and degrees in cooperation with the TN Board of Regents, University of Tennessee Board of Trustees, and other state university boards in the interest of maintaining alignment across state higher education;
- D. Approve the operating budget and set the fiscal policies for the University and its programs;
- E. Establish policies and regulations regarding the campus life of the University, including, but not limited to, the conduct of students, student housing, parking, and safety;
- F. Grant tenure to eligible members of the faculty upon the recommendation of the President;
- G. Assume general responsibility for the operation of the University, delegating to the President such powers and duties as are necessary and appropriate for the efficient administration of the University and its programs;
- H. Receive donations of money, securities, and property from any source on behalf of the University, which gifts shall be used in accordance with the conditions set by the donor;
- I. Purchase land, condemn land, erect buildings, and equip buildings for the University, subject to the requirements of the State Building Commission and the terms and conditions of legislative appropriations, costing more than \$500,000;
- J. Provide insight and guidance to the University's strategic direction and charge the President with leading the strategic planning process;
- K. Ensure the University's fiscal integrity; oversee the University's financial resources and other assets; review and approve annual University budgets; and preserve and protect the University's assets for posterity;

- L. Ensure and protect, within the context of faculty shared governance, the educational quality of the University and its academic programs; and preserve and protect the University's autonomy, academic freedom, and the public purposes of higher education;
- M. Refrain from directing the day-to-day management and administration of the University, which is the responsibility of the President of the University; and from directing or interfering with any employee, officer, or agent under the direct or indirect supervision of the President;
- N. Act as a body with no individual member speaking for the Board unless specifically authorized to do so by the Board; and
- O. Exercise such other powers, not otherwise prescribed by law, that are necessary to carry out its statutory duties.

**Delegation to the President** The President shall be the chief executive officer of the University. Subject to the ultimate authority of the Board, the President is delegated the authority necessary and appropriate for the efficient administration of the University and its programs, including the establishment of policies and procedures for the educational programs and operations of the University, except where the Board has reserved specific authority pursuant to the Bylaws and this policy as enumerated above. The discretionary powers of the President shall be sufficiently broad to enable him/her to discharge these responsibilities.

Unless otherwise restricted by specific Board policies or directives, the President may delegate general executive management and administrative authority to other executive officers and employees as necessary and prudent, including authority to execute contracts and other legal documents. The President may condition, limit, or revoke any presidential authority so delegated. All delegations and revocations shall be in writing, name the position to whom such authority is delegated, describe the scope and limitations of such authority, and prescribe the extent to which such authority may be further sub-delegated. Notwithstanding any delegation, the President remains responsible for the proper functioning of the University.

The President shall carry out all rules, orders, directives, and policies established by the Board, and shall approve and

implement all other policies and standards for the management of the University.

The organizational structure of the University will be established by the President except as otherwise specifically determined by the Board.

The President shall notify the Board of any matter that significantly involves the authority and role of the Board, including its fiduciary, oversight and public accountability responsibilities.

The President is authorized to negotiate and execute contracts on behalf of the University, including the aggregation of all contract extensions and renewals.

The President is authorized to name identifiable sub-units or components of campus facilities.

The President may hire all employees of the University and, within budgetary limitations, fix their salaries, and approve promotions, transfers, leaves of absence, and removal of personnel pursuant to the requirements of APSU policies and subject to such prior approval or confirmation as the Board may require. The President is authorized to further delegate appointing authority to the Vice Presidents or other designees.

The President shall have the authority to negotiate banking and credit card services to periodically open and close bank accounts and to purchase and sell investments. The President may delegate this authority to other administrative officers.

The President is authorized to act for the Board regarding all matters concerning grants and contracts for research, development, service and training.

The President is authorized to act for the Board in the management of the student body and other matters incident thereto, except for the establishment of rules and policies regarding student conduct.

The President is authorized to establish a reserve officers training corps unit, to execute and deliver bond, with or without surety, in such manner and on such terms and conditions as may be required by the United States, for the care and safekeeping of the transportation, animals, arms, ammunition, supplies, tentage, and

equipment that may be necessary or desirable for the operation, conduct and training of any reserve officers training corps unites of the armed forces of the United States authorized by law at any time.

The President is authorized to act for the Board regarding the execution and administration of instruments and the general business and financial affairs of the University that occur in the usual course of business except as otherwise provided in the Board Bylaws.

The President is authorized to purchase land, condemn land, erect buildings, and equip buildings for the University, subject to the requirements of the State Building Commission and the terms and conditions of legislative appropriations, costing less than \$499,999.99. The President is also authorized to approve the acquisition or disposal of real property for the University, subject to other approvals that may be required.

The President is authorized to act for the Board regarding all legal action necessary to protect the interests of the University.

In the event of an emergency or in the event immediate action is in the best interests of the University, the President, after consultation with the Board Chair, is authorized to act, pursuant to authority otherwise available but for this Delegation of Authority.

**Revision Dates**

APSU 1:024 – Rev.: June 8, 2018

APSU Policy 1:024 – Issued: March 30, 2017

**Subject Areas:**

Academic	Finance	General	Human Resources	Information Technology	Student Affairs
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**Approved**

President: signature on file