

**RESOLUTION
TO AMEND AND RESTATE DELEGATED AUTHORITY FROM THE
BOARD OF TRUSTEES OF
THE UNIVERSITY OF NORTH CAROLINA AT WILMINGTON
(AS APPROVED BY THE BOARD ON SEPTEMBER 30, 2021, APPROVED BY
PRESIDENT HANS, AND AFFIRMED BY THE BOARD ON OCTOBER 29, 2021)**

WHEREAS, the Board of Trustees of The University of North Carolina at Wilmington (UNCW) has a duty to promote the sound development of UNCW 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 UNCW and serves as an advisor to the chancellor concerning the management and development of UNCW;

WHEREAS, the Board of Trustees' powers and duties are defined by the UNC 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 approved by the Board of Trustees, this "Resolution to Amend and Restate Delegated Authority from the Board of Trustees of The University of North Carolina at Wilmington" shall be reviewed and, if acceptable, approved by the UNC President and returned to the Board of Trustees for final adoption prior to November 1, 2021;

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

- Pursuant to UNC Policy Manual 700.1.1 (Policy on Minimum Eligibility Requirements for Undergraduate Admissions for the University of North Carolina System) and *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power to establish admissions standards and resolve individual admission questions. The Board of Trustees delegates this authority to the Chancellor.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power 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. The Board of Trustees delegates this authority to the Chancellor.

- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power 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. The Chancellor has further delegated this authority to the Vice Chancellor for Business Affairs.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power 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. The Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Provost and Vice Chancellor for Academic Affairs.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power 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. The Chancellor has further delegated this authority to the Vice Chancellor for Business Affairs.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power to determine whether an individual student shall be entitled to receipt of a particular degree and what grade a student will be assigned in a particular course, and the Board of Trustees delegates this authority to the Chancellor. The Chancellor has further delegated this authority to the Provost and Vice Chancellor for Academic Affairs, in consultation with the Faculty Senate. The awarding of posthumous degrees is done in accordance with an established process (see https://uncw.edu/aa/policies_reports/posthumous-degree.html)
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power to approve 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, subject to such policies as may be established by the Board of Governors. In regard to memorial and honorific distinctions, this delegated power is exercised by the Board of Trustees in accordance with UNCW Policy 09.140 (Policy for Establishing Naming Criteria and Protocols, <https://uncw.edu/policies/documents/09140namingpolicy.pdf>) and UNCW's Honorary Degree process (https://uncw.edu/facsen/documents/hon_deg/honorary_deg.html), which include delegation of some responsibilities, with final authority maintained by the Board.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated authority, 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 (4) the final acceptance of all completed buildings and projects. The UNCW Board of Trustees regularly exercises the authorities outlined in the first three of these, through approvals of rank-order lists of architects and engineers, building sites, and the aesthetics of capital projects. The Board delegates the authority for final approval of detailed plans and specifications of applicable projects and the final acceptance of applicable projects to the Chancellor and/or his/her designee. [Also see: [Chancellor's Memo: Delegations of Signature Authority for Certain Contracts](#) dated February 26, 2004, as supplemented and updated from time to time in the [University's Signature Authority Chart.](#)”]

- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, the Board of Trustees has been delegated the power 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. The Board of Trustees delegates this authority to the Chancellor.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1*, superseded by the North Carolina General Statutes [GS 116-44.3 et.seq.], the Board of Trustees has broad authority regarding traffic and parking regulations. Consistent with that authority and by action of the Board of Trustees on August 20, 2010, the Board of Trustees has delegated authority to the Chancellor regarding policies and procedures related to non-vehicular modes of transportation (non-street legal golf carts, utility carts, bicycles, skateboards, etc.) and street-legal golf carts. The Board of Trustees affirms this delegation of authority, not to include rates, fees, fines, and penalties for motor vehicle traffic and parking on campus.
- Pursuant to *The Code of the Board of Governors of the University of North Carolina Appendix 1* and the North Carolina General Statutes, the Board of Trustees, along with the Board of Trustees of the Endowment Fund of The University of North Carolina at Wilmington, has been delegated the responsibility 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. Consistent with UNC Policy Manual 600.2 (Endowments and Other Funds), the Board of Trustees and the Board of Trustees of the Endowment Fund exercise appropriate oversight of the University's endowment and trust funds, with appropriate delegation to the Board of Trustees of the Endowment Fund and to the University Endowment staff, as expressed in the Investment

Policy Statement of the Board of Trustees of the Endowment Fund of The University of North Carolina at Wilmington.

- Pursuant to UNC Policy Manual 500.2 (Patent Copyright Policies), Section XIV, the Board of Trustees has been delegated the power adopt patent procedures consistent with UNC Policy Manual 500.2. Pursuant to UNCW Policy 01.200 (Intellectual Property Policy, <https://uncw.edu/policies/documents/01200intellectualpropertypolicy.pdf>), adopted by the Board of Trustees, the Board delegates certain authorities and responsibilities to the Chancellor, the Provost, the Vice Chancellor for Business Affairs, and the Associate Provost for Research.
- Pursuant to UNC Policy Manual 500.2 and consistent with UNCW Policy 01.200, the Board of Trustees is the authority for UNCW Policy 01.210 (Copyright Use and Ownership Policy, <https://uncw.edu/policies/documents/01210.copyrightpolicy.pdf>). In that policy, the Board of Trustees delegates authority to the Chancellor and the Chancellor further delegates authority to others for the administration of the Board's policy.
- Pursuant to UNC Policy Manual 600.3 (Special Responsibility Constituent Institutions) and UNC Policy Manual 600.3.4 (Granting of Management Flexibility to Appoint and Fix Compensation), the Board of Trustees has been delegated the power to execute the following personnel actions for faculty and all EHRA non-faculty (IRITS) employees, including SAAO I and SAAO II positions, with the exception of the Chancellor: 1) permanent and temporary appointments and salaries; 2) promotion, including faculty rank changes and conferral of tenure; 3) permanent and temporary salary increases, within limits set by the UNC Board of Governors, 4) supplements and stipends, and 5) retreat and separation, consistent with UNC Policy Manual 300.1.6[R]. Pursuant to the Campus Management Flexibility Plan as approved by the system office, which is incorporated herein by reference, and pursuant to actions by the Board of Trustees (including actions recorded in the minutes of the meetings held on: January 13, 2000; January 18, 2002; April 22, 2016; and October 28, 2016), the Board of Trustees delegates to the Chancellor: 1) appointments, temporary or permanent, salaries, and promotions of EHRA Non-faculty, including IRITS, SAAO I positions for which the Board of Governors does not establish salary ranges, and SAAO II positions; 2) temporary appointments of faculty and all SAAO I positions, except the Chancellor; 3) salary increases within limits set by the Board of Governors and the President for faculty, EHRA Non-faculty, including IRITS, SAAO I positions for which the Board of Governors does not establish salary ranges, and SAAO II positions; 4) supplements and stipends for faculty, EHRA Non-faculty, including IRITS, SAAO I positions for which the Board of Governors does not establish salary ranges, and SAAO II positions; and 5) retreat and separation for EHRA Non-faculty, including IRITS, SAAO I positions for which the Board of Governors does not establish salary ranges, and SAAO II positions (also see UNCW Policy 03.220). Consistent with UNC policy and the Campus Management Flexibility Plan, the Board of Trustees retains authority for: 1) permanent appointments and promotions of faculty and SAAO I positions for which the Board of Governors establishes salary ranges (e.g., vice chancellors); 2) conferral of tenure for faculty; 3) salary increases for SAAO I positions, except the Chancellor, for which the Board of Governors establishes salary ranges; 4) supplements and stipends for SAAO I

positions, except the Chancellor, for which the Board of Governors establishes salary ranges; and 5) retreat and separation for SAAO I positions, except the Chancellor, for which the Board of Governors establishes salary ranges.

- Consistent with the policy of the Board of Governors, UNCW's administration of issues related to Non-Salary and Deferred Compensation are addressed by the Board of Trustees through the Board's approval (on August 2, 2007) of the relevant UNCW Policy 08.350 (https://uncw.edu/policies/documents/08.350_non_salary_and_deferred_compensation.pdf) and through the related UNCW policy on Moving Expenses Payment/Reimbursement (05.106, <https://uncw.edu/policies/documents/movingexpensespolicy05106.pdf>), as last updated on May 29, 2015.
- Consistent with and pursuant to Section 611 of The Code of the Board of Governors, UNC Policy 300.1.1, UNC Policy 300.2.1, and G.S. 126-25, the Board of Trustees is the authority for UNCW Policy 08.521 on Review and Appeal Procedures for EHRA employees, including SAAO I and SAAO II, who are not subject to the faculty grievance procedures. Through UNCW Policy 08.521, the Board of Trustees delegates authority as detailed in that policy.
- Pursuant to the Procedural Policies of the Board of Trustees (UNCW Policy 01.100, https://uncw.edu/policies/documents/01.100_botprocpol.051205.pdf), the Board of Trustees has designated the Educational Planning and Programs Committee of the Board, which is a committee of the whole, as the standing committee to make recommendations to the Board on those matters outlined in Sections I, II, III, IV, VIII, X, XI, XII and XIII of the Delegations of Duty and Authority to Boards of Trustees and for issues pertaining to the Divisions of Academic Affairs and Student Affairs, as well as oversight of the long range planning process. Further, the committee is authorized to act for the Board on the appointments to the faculty and staff of the University which are proposed by the Chancellor, in accordance with the delegation of management flexibility with regard to personnel from the UNC Board of Governors. The committee is further authorized to consult with the Chancellor, on behalf of the Board of Trustees, where such consultation is required in Section I, subsection A, of the Delegations of Duty and Authority to the Boards of Trustees. In those cases where students may be legally authorized to appeal administrative decisions to the Board of the Trustees, the Educational Planning and Programs Committee or the Executive Committee shall act for the Board of Trustees in the appeal proceedings.
- Pursuant to the Procedural Policies of the Board of Trustees (UNCW Policy 01.100, https://uncw.edu/policies/documents/01.100_botprocpol.051205.pdf), the Board of Trustees has designated the Business Affairs Committee of the Board to act for the Board of Trustees in those matters outlined in Sections VI and XIV of the Delegations of Duty and Authority to Boards of Trustees, except that portion of Section VI dealing with the acquisition of disposition of real property, in which cases the Business Affairs Committee shall make recommendations to the Board for its consideration. Further, the committee is authorized to advise the Chancellor on Sections V, VII, IX, and XVI of the Delegations of

Duty and Authority to Boards of Trustees and to consult with the Board of Governors on fiscal affairs when such consultation is appropriate.

- Pursuant to the Procedural Policies of the Board of Trustees (UNCW Policy 01.100, https://uncw.edu/policies/documents/01.100_botprocpol.051205.pdf), the Board of Trustees has designated the External Affairs Committee of the Board with the primary responsibility for issues pertaining to the Division of University Advancement, governmental relations, university relations, intercollegiate athletics, campus naming opportunities, community engagement, and related activities.
- Pursuant to the Procedural Policies of the Board of Trustees (UNCW Policy 01.100, https://uncw.edu/policies/documents/01.100_botprocpol.051205.pdf), the Board of Trustees has charged to the Audit, Risk and Compliance Committee of the Board with reviewing and recommending changes to the Committee's Charter (<https://uncw.edu/ia/about/committee.html>) and the Office of Internal Audit Charter (<https://uncw.edu/ia/about/charter.html>). The purpose, organization, procedures, and duties of the committee are stated in the Committee Charter, which is adopted by the Board of Trustees after review and recommendations from the committee on an annual basis. In addition to the two charters referenced above, the committee derives authority from and is guided by Article 79 of G.S. 143 (Internal Auditing), G.S. 116-40.7 (Internal Auditors), UNC Policy Manual 1300.7 (University Enterprise Risk Management and Compliance), and UNC Policy Manual Chapter 1400 (Information Technology).
- Pursuant to UNC Policy Manual 1400.1 (Information Technology Governance), the Board of Trustees has been delegated the power for oversight of IT governance. Pursuant to UNC Policy Manual 1400.2 (Information Security), the Board of Trustees has been delegated the power for oversight of the institution's information security program. Consistent with the UNC Policy Manual, Chapter 1400, and System Office guidance, the Board of Trustees approved and retains the authority for UNCW Policy 07.100.00 (Responsible Use of Information Technology Resources, <https://uncw.edu/policies/documents/07.100.00-responsible-use-of-it-resources.pdf>). Consistent with the UNC Policy Manual, Chapter 1400, and System Office guidance, the Board of Trustees approved and retains the authority for UNCW Policy 07.300.00 (Information Security, <https://uncw.edu/policies/documents/07.300.00-information-security.pdf>). The Board reviewed the relevant IT policies in the 07.100, 07.200, and 07.300 series and delegated authority to the Chancellor and the Chief Information Officer as appropriate, with the Chancellor further delegating appropriate authority to the Chief Information Officer.
- The Board of Trustees approved and is the authority for UNCW Policy 04.110 (Policy on Illegal Drugs, <https://uncw.edu/policies/documents/04110policyonillegaldrugs.pdf>). In that policy, the Board delegates authority to the Chancellor and others as appropriate.
- Pursuant to 16 CFR 681.1 and 16 CFR 681.2, the Board of Trustees approved and is the authority for UNCW Policy 01.230 (Identity Theft Prevention Programs/Red Flags, <https://uncw.edu/policies/documents/01230redflagsruleprogram.april2009.final.pdf>). In that policy, the Board delegates authority to the Chancellor and others as appropriate.

- Pursuant to the duties, responsibilities, and authorities assigned to the Chancellor by the Board of Governors through Section 502 of *The Code of The University of North Carolina*, the Board of Trustees hereby delegates to the Chancellor and affirms the Chancellor's inherit authority to sign and execute, or to designate UNCW employees to sign and execute, agreements, contracts, leases, and other official documents with institutions, agencies, corporations, partnerships, individuals, and other legal entities, including all such agreements not required by law or administrative regulation to be otherwise executed; provided, however, that such agreements shall comply with the law of North Carolina, especially North Carolina General Statutes Chapters 143 and 146, when applicable, and with *The Code of The University of North Carolina*, and policies determined by the Board of Governors or the Board of Trustees. Campus officials designated by the Chancellor to sign official documents on behalf of UNCW are identified in the [Chancellor's Memo: Delegations of Signature Authority for Certain Contracts](#) dated February 26, 2004, as supplemented and updated from time to time in the [University's Signature Authority Chart.](#)"
- Notwithstanding any other provision authorized by the Board of Trustees, all authority that has been delegated to the Board of Trustees and has not been expressly identified and further delegated in this Resolution is hereby vested in the authority of the Board of Trustees.

BE IT RESOLVED, that the UNCW Board of Trustees hereby approves the delegations listed above and hereby approves this Resolution for transmittal to the President of the University of North Carolina System.

Gidget Kidd
Chair of the UNCW Board of Trustees

Mark Lanier
Assistant Secretary to the Board of Trustees

Exhibits:

UNCW Management Flexibility Plan

Master Delegation Table (for Personnel Actions)