



TO: Chair and Members of Board of Trustees

FROM: The Office of General Counsel, Jerry D. Blakemore, General Counsel
The Office of the Chancellor, Kelly Harris, Associate Chief of Staff

CC: Chancellor Frank D. Gilliam, Jr.

DATE: September 22, 2021

RE: UNC System Delegations Project

I. Introduction and Scope

As part of the UNC System's ongoing enterprise risk review, the Board of Governors approved on July 22, 2021, a resolution directing each campus to identify and restate the specific powers and authorities vested in them which they have in turn delegated to any entity or person other than the full board, including identifying sub-delegations.

The scope of delegated authorities subject to this review is limited to those which have been delegated to the campus Boards of Trustees. As such, the review does not capture authorities delegated directly to the chancellor or other campus officials by the Board of Governors, through the UNC System President, or which are vested in the chancellor as the administrative and executive head of the institution subject to the direction of the president pursuant to state law (N.C.G.S. § 116-34).

II. Table of Delegated Authority

In keeping with this directive, the Office of General Counsel, in conjunction with the Chancellor's Office, has conducted a comprehensive review of all documented sources of delegated authorities that fall within the scope of the project. These authorities are reflected in the attached Table of Delegated Authority ("the Table").

The Table is in the format recommended by The System Office and is organized in sections: 1) Source of the Board of Trustees' authority and explanation of that authority, 2) delegations of that authority by the Board of Trustees, if any, and the source of those delegations, and 3) sub delegations and sources, if applicable. Links to sources have been embedded where possible.

The Table serves as a comprehensive restatement and reaffirmation of current campus-level delegations and consists essentially of two categories:

A. Restatement/Reaffirmation of Current Delegations. The vast majority of the delegations reflected in the Table were approved by the UNC Greensboro Board of Trustees (BOT) on December 7, 2017 as part of its comprehensive review and update of the Board’s Bylaws and Delegations (subsequently amended September 28, 2018 to clarify Academic Affairs and University Advancement delegations around honorary degrees and namings). These entries on the Table are restatements of authority that has already been delegated according to the BOT Bylaws and Delegations attached to this memo and found electronically [here](#). Where there are no entries in the delegations or sub delegations fields, the authority rests with the Board of Trustees.

B. Authorization of New Delegations. As part of the review process, leadership has identified certain areas of authority currently vested with the Board of Trustees where new delegations can serve to formalize institutional practice, result in efficiencies, and streamline meeting agendas by reducing the volume of routine business coming before the Board as action items. *If the Board approves any of the newly proposed delegations, all action taken pursuant to them will be regularly reported to the Board.*

Newly requested delegations of authority are set out below and highlighted in yellow on the Table. If approved, the source cited on the Table will be “Resolution dated 9.30.21”.

1. Traffic & Parking (Table line 4)
 - a. [N.C.G.S. § 116-44.4](#)
 - b. Request that the BOT delegate authority to the Chancellor or authorized designee to regulate traffic, parking, motor vehicle registration and fees, establish lots and other parking facilities on campus, issue permits, install meters, gates, etc.

2. Academic Degrees and Grading (Table line 8)
 - a. Source - [UNC Code Appendix 1, Section III](#)
 - b. Request that the Board approve a sub delegation from the Academic Affairs Committee (AAC) to the Chancellor, Provost, or authorized designee (Registrar) of authority to determine whether an individual student shall be entitled to receipt of a particular degree, as well as sub delegation to Provost/Faculty Committee to determine what grade a student will be assigned in a particular course.
 - c. Efficiency gained - will eliminate the need for the AAC and full board to approve the roster of candidates for degrees and delegate authority to the chancellor to make additions and deletions after degrees are awarded. This currently appears on board meeting agendas three times per academic year.

3. Campus Security and Campus Law Enforcement Agencies (Table line 14)
 - a. Source - [UNC Code Appendix 1, Section XV](#); [NCGS § 116-40.5](#)
 - b. Request that the Board delegate authority to the Chancellor for the management and supervision of campus security and authority to establish a campus law enforcement agency, employ campus police officers, and to enter joint agreements with any municipality, county, or other constituent institution to extend law enforcement jurisdiction and enter into mutual aid agreements. Authorize the Chancellor the discretion to further delegate the execution of mutual aid agreements to the Vice Chancellor for Finance and Administration and/or the Chief of Police.

4. Guideline on Residence Status of Students Receiving Full Scholarships (Table line 30)
 - a. Source - [UNC Policy 900.1\[G\]](#); [NCGS § 116-143.6\(a\)](#)
 - b. Request that the Board formalize, as part of this process, the university's election to participate in the option to consider as resident students, for tuition and all other purposes. Per the policy, this can be accomplished by resolution at any time.
 - i. Chancellor already has delegated authority, in Delegations VIII.C, to recognize entities that provide funds used to establish full scholarships for undergraduate students, who then may be considered residents of North Carolina for all purposes; if approved, this will formalize UNCG's election to participate in the option. The number of students receiving scholarships from each such entity will be reported annually to the AAC.

III. Next Steps

The Board of Governors' directive specifies that, by October 1, 2021, each campus board of trustees shall adopt a proposed resolution amending and restating in detail all delegations of authority by the board of trustees of that institution to any board of trustees committee, the chancellor, or other campus entity, employee, officer, or agent and providing that any authority not delegated expressly by such resolution is vested immediately in the board of trustees of that constituent institution. Please see draft Resolution below. Thereafter, the resolution will be submitted to President Hans for his review. If in his discretion, the President approves the resolution, it will then be forwarded to the Board of Governors' Committee on University Governance and returned to the board for final adoption before November 1, 2021.



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Resolution to Restate Delegated Authority Board of Trustees of The University of North Carolina at Greensboro

WHEREAS, the Board of Trustees of The University of North Carolina at Greensboro (the “Board of Trustees”) has a duty to promote the sound development of the University within the functions prescribed for it, helping it to serve the people of the state so as to complement the activities of the other institutions and aiding it to perform at a high level of excellence in every endeavor; and

WHEREAS, the Board of Trustees serves as an advisor to the Board of Governors on matters pertaining to the university and serves as an advisor to the chancellor concerning the management and development of the university; and

WHEREAS, the Board of Governors’ approval on July 22, 2021 of that “Resolution to Amend and Restate Constitution Institution Board of Trustees Delegations” 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 has delegated some or all of its authority to any committee, chancellor, or other campus entity, employee, officer, or agent;

NOW THEREFORE, LET IT BE KNOWN that the Board of Trustees of The University of North Carolina at Greensboro hereby restates, reaffirms, and approves the delegated authority as set forth in the document attached hereto as Exhibit A and incorporated herein by reference.

Notwithstanding any other provision authorized by the Board of Trustees, all authority that has been delegated to the Board and has not been identified and further delegated in this resolution or articulated in Exhibit A is hereby vested in the authority of the Board of Trustees.

Resolved, this the 30th day of September, 2021.

Betsy Oakley, Chair
UNC Greensboro Board of Trustees