

# Washington State University BOARD OF REGENTS POLICY MANUAL

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Board of Regents Policy #2  
Revision Approved by the Board of Regents, April 15, 2021

## Board of Regents Policy on Delegation of Authority

### POLICY AND PURPOSE

The Washington State University (University or WSU) Board of Regents (Board) is vested with full authority to manage the assets and affairs of the University. The Board's powers and duties are granted by state law, in particular the Revised Code of Washington (RCW) 28B.30.150 and other statutory provisions. The Board has authority to delegate by resolution any of its powers and duties to the University President or designee. (RCW 28B.10.528)

It is the policy of the Board to engage in responsible institutional governance by delegating full authority, express and implied, to the President or designee to manage and conduct the affairs of the University, except for those matters reserved either by law or by the Board for the proper exercise of its fiduciary duties to the institution.

The policy delineates specific powers reserved by the Board and, conversely, powers that have been delegated to the President or designee. Any delegated authority continues to be subject to the ultimate authority of the Board. The Board reserves the right to intervene in any matter and to enact or amend such rules and policies as it deems necessary or proper to further the best interests of the University. In doing so, the Board acts as a whole, recognizing the Chair or designee as its spokesperson.

The Board will periodically review delegations and reserves the right to amend or rescind them at any time.

### RESERVED AND DELEGATED AUTHORITY

The President or designee has been delegated broad authority to act in matters relating to the general business and financial affairs, academic affairs, organization, and management of the University, including express or implied authority to carry out the administration and operations of the University. The Board has reserved authority in specific areas as set forth below.

Links to the resolutions delegating authority to the President or designee are provided in each area. In the event of a conflict between the language in this policy and a particular resolution, the language in the resolution will take precedence.

See Appendix 1: Resolution delegating general authority to President or designee.

### Board Administration

The Board has reserved the following authority in this area:

- **To administer the Board.** To enact and amend Board Bylaws, enact and amend Board policies, establish standing and ad hoc committees, and otherwise organize, administer, and operate the Board.
- **To appoint a Treasurer.** Pursuant to RCW 28B.30.130, the Board shall appoint a treasurer who shall be the financial officer of the Board.

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### University Personnel

The Board has reserved the following authority in this area:

- **To select, appoint, and evaluate the University President.** This includes responsibility for setting the compensation and other terms and conditions of the President's employment, who shall serve at the pleasure of the Board.
- **To hear faculty appeals of formal discipline, in accordance with the *Faculty Manual*.**
- **To establish or amend retirement programs for employees.**
- **To authorize legal defense and indemnification of employees, officers, or volunteers, subject to the following:**
  - The President is authorized to deny a request for legal defense and indemnification.
  - If any action, claim, or proceeding is filed against member(s) of the Board, the request shall be handled as follows:
    - ◆ If the request involves a minority of the members of the Board, it will be acted on by the remaining members of the Board.
    - ◆ If the request involves a majority or all members of the Board, it will be acted on by the Washington State Attorney General, as provided in RCW 28B.10.842.

See Appendix 2: Resolutions delegating authority to President or designee—University personnel.

### University Rules and Policies

The Board has reserved the following authority in this area:

**To adopt, amend, and repeal Washington Administrative Code (WAC) rules.** However, the President or designee has authority to adopt, amend, and repeal expedited rules pursuant to RCW 34.05.353, emergency rules pursuant to RCW 34.05.350, and rules related to campus parking and traffic.

See Appendix 3: Resolutions delegating authority to President or designee—University rules and policies.

### Tuition and Fees

The Board has reserved the following authority in this area:

- **To establish tuition.**

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### Tuition and Fees (cont.)

- **To establish services and activities (S&A) fees and technology fees and to approve allocations.** However, the President has been delegated authority to adopt, amend, or repeal guidelines governing the establishment or funding of programs supported by S&A fees.
- **To establish student fees.** To approve and implement new student fees or changes in student fees. However, the President or designee has authority to establish certain fees for goods, services, and access to University facilities, including but not limited to application fees, transcript fees, graduate fees, identification card fees, orientation fees, late enrollment and payment fees, certification fees, and special course fees.
- **To approve housing and dining rates.**
- **To approve increases in certain parking rates and fines.** However, the President or designee has authority to approve annual increases in parking rates that do not exceed the U.S. Department of Labor CPI Index (Western) and annual increases in hourly rates that do not exceed \$.05 per hour.

See Appendix 4: Resolutions delegating authority to President or designee—Tuition and fees.

### Academics, Planning, and University Structure

The Board has reserved the following authority in this area:

- **To set admission requirements.**
- **To structure the University.** To establish or abolish colleges and academic departments, and to approve reorganizations of academic and non-academic units.
- **To authorize degree programs.** To establish or discontinue a degree. However, the President or designee has authority to approve name changes to degree programs and to approve the extension of an existing WSU degree program to another WSU campus, provided the extension is consistent with the institution's and the specific campus's strategic plans.
- **To approve the University-wide and individual campus strategic plans.**
- **To approve the campus master plans.**

See Appendix 5: Resolutions delegating authority to President or designee—Academics, planning, and University structure.

### Budget, Business, and Finance

The Board has reserved the following authority in this area:

- **To approve budget requests.** To approve the University's capital and operating budget requests to the state legislature.

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### Budget, Business, and Finance (cont.)

- **To authorize debt.** To authorize University debt, in accordance with the Washington State Board of Regents Debt Management Policy.
- **To approve certain capital projects.** To approve contracts for capital projects when the estimated total cost is greater than five million dollars (\$5,000,000) for projects funded solely by state appropriated capital sources, or one million dollars (\$1,000,000) for projects funded in whole or in part by non-appropriated sources. The threshold amount includes all phases of the project, from selection of the architect to award of construction contract.
- **To approve certain real estate transactions.** To approve the sale, purchase, lease, or granting of a security or other interest in real estate where the property value exceeds one million dollars (\$1,000,000).
- **To approve certain contracts relating to the general business and financial affairs of the University.** To approve contracts, settlements of legal claims, and other instruments relating to the general business and financial affairs of the University when the anticipated cost or value to the University exceeds two million five hundred thousand dollars (\$2,500,000). However, the President or designee has authority to approve specific contracts without limitation as set forth in various resolutions delegating authority ([link below](#)).

See Appendix 6: Resolutions delegating authority to President or designee—Budget, business, and finance.

### Naming and University Recognition

The Board has reserved the following authority in this area:

- **To name colleges, academic departments, other major organizational units, and buildings.** To name all major organizational units and University facilities in accordance with the University's Facilities Names Policies and Procedures (Executive Policy #9, *Executive Policy Manual*). However, the President or designee has authority to assign temporary names to major facilities to indicate function.
- **To award honorary degrees.**
- **To designate Regents' Distinguished Alumni.**

See Appendix 7: Resolutions delegating authority to President or designee—Naming and University recognition.

### ASSISTANCE

For questions about this policy, contact the Office of the President.