

Middle Tennessee State University
Board of Trustees Policy
Reservation and Delegation of Authority

Section 1. The Middle Tennessee State University Board of Trustees (Board) is vested with the power and authority to govern Middle Tennessee 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.

Section 2. Reservation of Authority

2.1 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.

2.2 The Board reserves the following authority, to include the review and approval of any University policies implementing these actions:

1. To periodically review and approve the University's mission, vision, and strategic direction, and approve plans for their attainment, implementation and evaluation.
2. To conduct its business, create committees, set its agenda and meeting schedule, require reports from executive officers and employees, hear appeals, and establish policies and procedures providing for it to do such.
3. As required by law, to adopt, amend or repeal administrative rules pursuant to the Administrative Procedures Act, T.C.A. §4-5-101, et. seq.
4. To approve the annual operating and capital budgets for the University; and, to approve requests for issuance of any bonds pursuant to state statute.
5. To establish or abolish academic colleges, divisions, schools, and departments. The Board will receive reports prior to the establishment of any additional institutional centers/academic units.
6. To approve the establishment or discontinuation of degree programs and academic majors.
7. To select, appoint and annually assess the performance of the chief executive officer of the University, the President, and confirm his/her salary and benefits.
8. To approve the award of tenure and promotion for faculty.
9. To approve the appointments and compensation of Vice Presidents and other executives reporting directly to the President; and, Chairs of Excellence, including interim appointments. The Board will be apprised during the annual budget process of all new positions added to the organizational structure;

10. Consistent with state statute and Tennessee Higher Education Commission (THEC) policy, to approve student admission standards and graduation requirements.
11. To authorize the awarding of degrees, including the awarding of honorary degrees.
12. To establish tuition rates and mandatory fees consistent with THEC approved ranges; and, to approve non-mandatory fees, and room and board fees.
13. To define and set in-state and out-of-state residency requirements consistent with statute.
14. To retain responsibility for the expenditure of state funds by the University and its agents and employees.
15. To approve a campus master plan or amended campus master plan.
16. To approve the acquisition or disposal of properties not identified in the MTSU Master Plan.
17. To approve a required "program statement" that shall be prepared for all capital outlay construction projects requiring approval by the State of Tennessee prior to implementation of the project. The Board will also approve major renovations with budgets totaling more than \$500,000 in agreement with State Building Commission policy.
18. To approve capital project requests, as defined by state statutes and which require approval by the Tennessee General Assembly, prior to the request of funds. This will require the University to prepare and submit an annual Capital Budget Request to the Board for approval before submission to THEC.
19. To approve funding priorities to be presented to the legislature and, where appropriate, determine institutional priorities and significant public policy and advocacy positions
20. To receive, accept and approve all non-cash gifts in kind as follows:
 - a. Gifts of real property or any permanent interest in real property;
 - b. Gifts that require an obligation to fund current or future expenditures for which there is no established or approved funding source;
 - c. Gifts that require construction/renovation of facilities not previously authorized by the University;
 - d. Gifts that substantially increase liability, commitments or risk;
 - e. Gifts that require State approval;
21. To approve the appointment of the Chief Audit Executive; review auditing proposals, select the external auditors and approve the University's contract with the external auditors. The Board will receive and accept summaries of internal audit and compliance reports.
22. To approve the naming of buildings, grounds and other identifiable physical features of the University, or to revoke such names.

2.3 Delegation to the President

1. 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.
2. 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. Notwithstanding any delegation, the President remains responsible for the proper functioning of the University.
3. 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.
4. The organizational structure of the University will be established by the President except as otherwise specifically determined by the Board.
5. 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.
6. The President is authorized to negotiate and execute contracts on behalf of the University, including the aggregation of all contract extensions and renewals consistent with the policies and direction of the Board.
7. The President is authorized to name identifiable sub-units or components of campus facilities.
8. 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 MTSU 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.
9. The President of the University 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.
10. The President is authorized to act for the Board regarding all matters concerning grants and contracts for research, development, service and training.
11. 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.

12. The President is delegated the responsibility for the administration of the athletics program and mandates that the program operate with integrity and in full compliance with all applicable rules and regulations.
13. The President is authorized to confer academic and honorary degrees, within the guidelines of the Board.
14. 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 units of the armed forces of the United States authorized by law at any time.
15. 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.
16. The President is authorized to approve the acquisition or disposal of real property in the ordinary and usual course of business as described by the MTSU Master Plan for the University, subject to other approvals that may be required.
17. The President is authorized to act for the Board regarding all legal action necessary to protect the interests of the University.
18. 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.

Effective Date: June 5, 2017.

Revisions: None.