

## Policy on Reservation and Delegation of Authority

Title:	Reservation and Delegation of Authority POL 006
Policy number:	
Approval(s) required	Academic Senate <input type="checkbox"/> Board of Trustees <input checked="" type="checkbox"/> Both <input type="checkbox"/>
Date of Senate approval if required	(dd/mm/yyyy)
Date of Board approval	13/09/2023
Effective date of implementation	13/09/2023
Frequency of review required	3 years
Replacing or superseding information	None
Revision number	New
Responsible Office	Office of the University Secretary
Accountable Officer	University Secretary
Related legislation, regulation, policy, or policies	University of The Bahamas Act, 2016
Appendix/Appendices	

## 1. **Authority**

The University of The Bahamas Board of Trustees, under the provisions of the University of The Bahamas Act 2016 (“the Act”), shall, among other things, have “general direction and control over the conduct of the affairs of the University”). The Act vests the Board with certain powers and authority, and empowers the Board to delegate authority as provide for in the Act and as set forth in Board or University policy.

## 2. **Reservation of Authority**

- 2.1. The Board reserves to itself all authority granted under the Act necessary to carry out its legal and fiduciary duties and responsibilities, including the general direction and control over the conduct of the affairs of the University.
- 2.2. The Board shall exercise its authority consistent with the Act, and all other functions as maybe conferred upon it by the Statutes and consistent with Board and University policies.
- 2.3. The Board may delegate its authority, powers and duties only as specified in the Act.
- 2.4. Without derogating from the power and authority of the Board as specified in the Act, the Board reserves the following authority, to include the review and approval of any University policies implementing these actions:
  - 2.4.1. To periodically review and approve the University’s vision, and strategic direction, and approve plans for their attainment, implementation, and evaluation.
  - 2.4.2. 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.
  - 2.4.3. To approve the annual operating and capital budgets for the University; and, to approve requests for issuance of bonds.
  - 2.4.4. To request and receive reports to guide its decision making in relation to colleges, schools, and institutes within the University.
  - 2.4.5. To approve the establishment or discontinuation of degree programs and academic majors.
  - 2.4.6. 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.
  - 2.4.7. To approve the award of tenure and promotion for faculty.
  - 2.4.8. To approve the appointments and compensation of Vice Presidents and other executives reporting directly to the President; and Scholars in Residence; and Research Chairs, including interim appointments, on the recommendation of the President. The Board will be apprised during the annual budget process of all new positions added to the organizational structure.
  - 2.4.9. To approve student admission and graduation requirements
  - 2.4.10. As well as tuition and room and board, as provided for in the Act, and from time to time approve mandatory and non-mandatory fees.
  - 2.4.11. To retain responsibility for the expenditure by the University, its agents, and employees, of subventions provided by the Government of The Bahamas
  - 2.4.12. To approve a campus master plan or amended campus master plan.
  - 2.4.13. To approve all capital outlay construction projects. The Board will also approve major renovations with budgets totaling more than \$200,000.

- 2.4.14. To approve funding priorities to be presented to the Government and Parliament and, where appropriate, determine University priorities and significant public policy and advocacy positions.
- 2.4.15. To receive, accept and approve all non-cash gifts in kind as follows:
  - 2.4.15.1. Gifts of real property or any permanent interest in real property;
  - 2.4.15.2. Gifts that require an obligation to fund current or future expenditures for which there is no established or approved funding source;
  - 2.4.15.3. Gifts that require construction/renovation of facilities not previously authorized by the University;
  - 2.4.15.4. Gifts that substantially increase liability, commitments, or risk.
- 2.4.16. To receive, review and approve the auditing and compliance proposals and reports presented by the Chief Internal Auditor select the external auditors and approve the University's contract with the external auditors.
- 2.4.17. To approve the naming of buildings, grounds, and other identifiable physical features of the University, or to revoke such names.

## 2.5. **Delegation to the President**

- 2.5.1. The President shall be the chief executive officer of the University and shall have the power and authority as set forth in the Act.
- 2.5.2 Subject to the authority of the Board and set forth herein and in the Act:
  - 2.5.2.1 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.
  - 2.5.2.2 The discretionary powers of the President shall be sufficiently broad to enable him/her to discharge these responsibilities.
  - 2.5.2.3 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.
- 2.5.4. 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.
- 2.5.3 The organizational structure of the University will be established by the President except as otherwise specifically determined by the Board.
- 2.5.4 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.
- 2.5.5 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.
- 2.5.6 The President is authorized to name identifiable sub-units or components of campus facilities.

- 2.5.7 The President may hire 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 UB 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.
- 2.5.8 The President is authorized to act for the Board regarding all matters concerning grants and contracts for research, development, service and training.
- 2.5.9 The President is authorized to act for the Board in the management of the student body and other matters incidental thereto, except for the establishment of rules and policies regarding student conduct.
- 2.5.10 The President is delegated the responsibility for the administration of the athletics program. The Board mandates that the program operates with integrity and in full compliance with all applicable rules and regulations.
- 2.5.11 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 Act, herein and in any By Laws of the University.
- 2.5.12 The President is authorized to act for the Board regarding legal action necessary to protect the interests of the University, except as otherwise provided in the Act, herein and any By Laws of the University.
- 2.5.13 In the event of an emergency or in the event immediate action is in the best interest of the University, the President, after consultation with the Board Chair, is authorized to act to protect the best interest of the University, pursuant to this delegation of authority.