



WESTERN WASHINGTON UNIVERSITY BOARD OF TRUSTEES
RESOLUTION NO. 2022-07 BOARD POLICY ON DELEGATION OF AUTHORITY

Passed by the Western Washington University Board of Trustees on October 14, 2022

Purpose

The Western Washington University (University of WWU) Board of Trustees (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 Chapter 28B.10 and 28B.35 ([RCW 28B.10](#) and [28B.35](#)) 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 of the institution.

This 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 this policy as it deems necessary or proper to further the best interests of the University.

This policy will be approved by resolution of the Board. The Board will periodically review this policy and reserves the right to amend or rescind it by resolution at any time.

Reserved and Delegated Authority

The Board of Trustees is authorized by [RCW 28B.10.528](#) to delegate to the President of Western Washington University, or their designees, powers and duties vested in or imposed upon the Board of Trustees by law, and to enable the President or their designee to act on behalf of the

Board of Trustees in matters relating to the administration and governance of Western Washington University.

This policy affirms that the President shall have the authority to exercise all powers and duties vested in or imposed upon the Board of Trustees, except as reserved in the specific areas as set forth below.

In the event of a conflict between the language in this policy and a particular resolution, the language of the resolution will take precedence.

Board Administration

The Board has reserved the following authority in this area:

- (a) **To Administer the Board.** To organize, administer, and operate the Board.

University Personnel

The Board has reserved the following authority in this area:

- (a) **To Select, Appoint, and Evaluate the President.** This includes responsibility for setting the compensation, benefits, and other terms and conditions of the President's employment, who shall serve at the pleasure of the Board. The President's contract(s) shall be authorized in compliance with the Open Public Meetings Act, Chapter 42.30 RCW.
- (b) **To Approve Collective Bargaining Agreements.** To facilitate, approve, and enter into collective bargaining agreements.
- (c) **To Establish Retirement Programs for Employees.** To establish retirement programs for employees as authorized by law.
- (d) **Appeal of Denial of Tenure.** If the President denies tenure, the candidate may appeal the denial to the Board, which may conduct an adjudicative proceeding pursuant to the Administrative Procedure Act (Chapter 34.05 RCW).
- (e) **To authorize legal defense and indemnification of employees, officers, or volunteers, subject to the following:**
 - 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](#).

University Rules and Policies

The Board has reserved the following authority in this area:

- (a) **To Adopt, Amend, and Repeal Administrative Rules.** To adopt, amend, or repeal rules pursuant to the Administrative Procedure Act (Chapter 34.05 RCW) and any other laws providing rule-making authority – except for Chapter 516-12 WAC, Parking and traffic regulations; Chapter 516-13 WAC, Bicycle, mopeds, and other powered devices; and Chapter 516-15 WAC, Skateboards, foot scooters, skates, and other similar devices.

Tuition and Fees

The Board has reserved the following authority in this area:

- (a) **To Establish Certain Fees.** To establish academic year tuition fees (tuition operating fee and capital building fee), summer session fees, continuing education degree program fees, student services and activities fees, housing and dining fees, and all fees that students enrolled for six (6) or more credit hours are required to pay. The Board delegates its authority to the President to approve all other fees.

Academics, Planning, and University Structure

The Board has reserved the following authority in this area:

- (a) **To Structure the University.** To establish or abolish colleges, divisions, schools, and degree programs.
- (b) **To Award Degrees.** To authorize the awarding of degrees for appropriate programs of study, and to authorize the awarding of honorary degrees.
- (c) **To approve the University-wide strategic plan.**
- (d) **To approve the campus master plan.**

Budgets, Business, and Finance

The Board has reserved the following authority in this area:

- (a) **To Approve Budgets.** To approve the operating budget, the services and activities fees budget, and the capital budget for the University.

- (b) **To Retain Fiscal Responsibility.** To retain responsibility for the expenditure of state funds by the University and its agents and employees.
- (c) **To Approve Settlement Agreements.** To enter into agreements for the purposes of settlement of legal claims or potential legal claims when the total costs to WWU are estimated to be greater than \$100,000.
- (d) **To Enter into Certain Agreements.** To enter into agreements with public agencies pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW) or other appropriate laws in instances where the Agreement allows for the creation of a separate corporate or legal entity or involves the commitment of University funds in excess of \$100,000, regardless of duration. The Board shall be informed of the execution of an Interlocal Agreement at the next subsequent board meeting.
- (e) **To Purchase, Acquire, or Lease Real Estate.** To authorize the purchase, acquisition, or long-term lease (for more than two years and in excess of \$100,000 in annual rent) of real property not located within the boundaries of the campus as described by the Institutional Master Plan for Western Washington University, subject to other approvals that may be required. To authorize extensions of long-term leases (for more than two years and in excess of \$100,000 in annual rent) of real property.
- (f) **To Select Certain Architects and Engineers and Authorize Certain Public Works Contracts.** To authorize the selection of professional, architectural, engineering, and related services for the design of public works and to execute public works contracts in instances where the fee for such services will exceed \$500,000.00, or where competitive proposals were not solicited and considered, unless other procedures approved by the Board were followed.
- (g) **To Establish Self-Supporting Facilities.** To establish self-supporting facilities and to exercise all related authority delegated to the Board pursuant to RCW 28B.10.300 through RCW 28B.10.330, as now or hereafter amended.
- (h) **To Authorize Bonded Indebtedness.** To authorize and approve bonded indebtedness.

Naming and University Recognition

The Board has reserved the following authority in this area:

- (a) **To Name or De-name Colleges, Major Organizational Units, and Facilities.** To name or de-name all major organizational units and University facilities in accordance with the University's policy and procedures on Naming Facilities, Colleges, and

Organizational Units. However, the President or designee has authority to assign temporary names to major facilities to indicate function.

(b) **To Approve the Design of the University Seal.** The design of the seal of Western Washington University shall be approved by the Board.