



POLICIES *and* PROCEDURES

Board of Trustees Policy Number:
BTRU 1.02

Date of Adoption/Revision:
1/24/2014

SUBJECT	AUTHORIZATION TO OBLIGATE THE COLLEGE
AUTHORITY	<p>The Board of Trustees is responsible for delegating the authority to sign contracts to the President, who may choose to delegate this authority within limits to other College officials.</p> <p>The Office of the President is responsible for the monitoring of contracts and other agreements; developing and communicating procedures for obligating the college to the campus community; and reporting to the Board of Trustees all contracts and agreements enforced.</p>
APPLICABILITY	<p>This policy applies to all contracts where the College or, an area or unit on behalf of the College, is party to a contract (whether referred to as a contract, agreement, memorandum of understanding, or letter of agreement).</p>
PURPOSE	<p>The purpose of this policy is to establish, in writing, which officials of the College are authorized to sign contracts obligating the College, and the fiscal limitations for such contracts. This policy protects the college by defining the authority for signing contracts and other legally binding documents on behalf of the College.</p>

POLICY	<p>A. The College will only be bound by written contracts to which the College is formally a party; which have been reviewed and approved in accordance with this policy; and that have been executed by College officials who have specific contract signature authority. This policy applies to all members of the College community. The Board of Trustees thereby authorizes the President to enter into contracts, deeds, or leases between the College and another party within the limits prescribed below. The President, however, is permitted to delegate this responsibility to appropriate College officials with Board approval as follows:</p> <table border="1" data-bbox="505 1558 1487 1898"> <thead> <tr> <th data-bbox="509 1558 989 1596">Contract Signing Authority</th> <th data-bbox="989 1558 1248 1596">Board of Trustees</th> <th data-bbox="1248 1558 1395 1596">President</th> <th data-bbox="1395 1558 1482 1596">CFO</th> </tr> </thead> <tbody> <tr> <td data-bbox="509 1596 989 1633">Contracts >\$250,000</td> <td data-bbox="989 1596 1248 1633">X</td> <td data-bbox="1248 1596 1395 1633"></td> <td data-bbox="1395 1596 1482 1633"></td> </tr> <tr> <td data-bbox="509 1633 989 1671">Contracts up to \$250,000</td> <td data-bbox="989 1633 1248 1671"></td> <td data-bbox="1248 1633 1395 1671">X</td> <td data-bbox="1395 1633 1482 1671"></td> </tr> <tr> <td data-bbox="509 1671 989 1709">Contracts up to \$50,000</td> <td data-bbox="989 1671 1248 1709"></td> <td data-bbox="1248 1671 1395 1709"></td> <td data-bbox="1395 1671 1482 1709">X</td> </tr> <tr> <td data-bbox="509 1709 989 1747">Contracts over 5 years</td> <td data-bbox="989 1709 1248 1747">X</td> <td data-bbox="1248 1709 1395 1747">X</td> <td data-bbox="1395 1709 1482 1747"></td> </tr> <tr> <td data-bbox="509 1747 989 1785">Contracts less than 5 years</td> <td data-bbox="989 1747 1248 1785"></td> <td data-bbox="1248 1747 1395 1785">X</td> <td data-bbox="1395 1747 1482 1785">X</td> </tr> <tr> <td data-bbox="509 1785 989 1822">Engagement of Auditors</td> <td data-bbox="989 1785 1248 1822"></td> <td data-bbox="1248 1785 1395 1822">X</td> <td data-bbox="1395 1785 1482 1822"></td> </tr> <tr> <td data-bbox="509 1822 989 1860">Engagement of Legal Counsel</td> <td data-bbox="989 1822 1248 1860">X</td> <td data-bbox="1248 1822 1395 1860">X</td> <td data-bbox="1395 1822 1482 1860"></td> </tr> <tr> <td data-bbox="509 1860 989 1898">Facility Lease Agreements</td> <td data-bbox="989 1860 1248 1898"></td> <td data-bbox="1248 1860 1395 1898">X</td> <td data-bbox="1395 1860 1482 1898"></td> </tr> </tbody> </table>	Contract Signing Authority	Board of Trustees	President	CFO	Contracts >\$250,000	X			Contracts up to \$250,000		X		Contracts up to \$50,000			X	Contracts over 5 years	X	X		Contracts less than 5 years		X	X	Engagement of Auditors		X		Engagement of Legal Counsel	X	X		Facility Lease Agreements		X	
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Contract Signing Authority	Board of Trustees	President	CFO
Academic Affiliations		X	
Sponsored Research/ Grants/Contracts		X	
Gifts Agreements > \$25,000		X	

Authorized signatories must coordinate all special reviews; obtain all internal approvals; and ensure compliance with applicable University policies and state and federal law, directives and guidelines, prior to execution of a proposed contract.

B. Even though unwritten, oral agreements may be held by courts to be legally binding in certain circumstances, this Policy requires that all College contracts

1. be made in writing,
2. be reviewed by the College Counsel, and
3. bear an authorized signature.

Oral agreements are not permitted and will not be recognized or honored by the College.

C. If an individual signs a contract on behalf of the College, and has not been delegated signatory authority, that individual may be personally liable for the payment and performance of the contract, or for any damage caused to College.

Replaces policy:

Date