

ELIZABETH CITY STATE UNIVERSITY
Statement on University Policies, Procedures, and Guidelines

I. Policy Statement

To ensure the administrative efficiency of implementing important policies and procedural changes, this policy seeks to establish a process for which Elizabeth City State University (ECSU) policies must be presented to the ECSU Board of Trustees for approval. This policy is also intended to provide clarity on the distinction between policy and procedure for ECSU operations.

II. Jurisdiction

This policy applies to all policies, regulations, and procedures enacted by the Board of Trustees, the Chancellor, or any department/division at ECSU.

III. Definitions

- A. “**Internal Policies**” are defined as those that apply exclusively to the operations of a particular unit, department, or school and which do not have an impact on any other unit, department, or school.
- B. “**ECSU Policy & Procedures Manual**” is defined as a compilation of updated and approved ECSU policies maintained by the Office of Legal Affairs.
- C. “**Procedures**” means operational processes or methods identified to implement policies, often including information such as sequential tasks, personnel assignments, and required resources.

IV. Policy

A. Revisions

1. No policy is effective until approved by the entity having authority to approve revisions to the policy.
2. The Chancellor or Board of Trustees approved policy or procedure shall control if a conflict exists between any ECSU departmental policy and university policy.
3. Subject to paragraph 2 above, all prior versions of that policy or procedure are rescinded and without force and effect.
4. A policy that is approved by the Board of Trustees (but could have been approved under the Chancellor’s delegated authority) has the same effect as if approved by the Chancellor, unless the Board of Trustees’ approval is specifically prohibited by the *Code*, Board of Governors’ policy, or the law.
5. The Board of Trustees may delegate authority to the Chancellor to approve substantive changes if permitted by the *Code*, Board of Governors’ policy and/or the law. For purposes of this section, a substantive change is a change that alters the ECSU policy. Changes to procedure and grammatical changes do not require Board of Trustees approval.

B. Delegation of Policy Making Authority to the Board of Trustees

1. The State of North Carolina and the Board of Governors have specifically delegated certain policy-making authority to the Board of Trustees.
2. All policies that fall under a specific delegation to the Board of Trustees must be submitted to the Board of Trustees for approval. These include the powers and functions enumerated in *Appendix I* and functions enumerated in Section 403 of the *Code* and N.C.G.S. 116, as each may be amended from time to time, and any powers otherwise delegated to the Board of Trustees by the Board of Governors or the State of North Carolina.

C. Policy Authority Not Specifically Delegated to the Board of Trustees but Delegated to the Chancellor

1. In accordance with the Code, the Chancellor is responsible for promoting the educational excellence, general development and welfare of the institution, and defining the scope of authority of faculties, councils, committees, and officers of the institution, and authorizing and approving all projects, programs, and institutional reports undertaken on behalf of the institution.
2. In order to fulfill these responsibilities, the Board of Trustees delegates to the Chancellor the authority to approve policies in any area not specifically delegated to the Board of Trustees unless such delegation is prohibited or suspended by federal or state law or the Board of Governors.
3. Policies approved under the authority of the Chancellor may be implemented without approval from the Board of Trustees.
4. The Secretary of the University shall annually provide to the Board of Trustees a summary of approved policies.
5. Operating units, departments, and schools may develop internal policies exclusively within the particular unit, department, or school. In addition, they may also develop internal procedures for implementing the policies.
6. Internal policies (and their attendant procedures) may not conflict with or supersede applicable federal and state laws, policies of the Board of Governors, the Code, or ECSU policies and procedures approved by the Board of Trustees or the Chancellor.
7. Internal policies and subsequent modifications are subject to approval by the Chancellor; the department, unit, or school head may approve internal procedures and any subsequent modifications.

D. Treatment of Procedures

The authority, implementation, and other treatment of university policies and procedures shall be made in accordance with Guideline 100.3 [G] of the ECSU Policy & Procedures Manual.

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APPENDIX 1

I. Overview

- A. This appendix is intended to provide some guidance concerning areas of authority, responsibility, and delegation in the policy-making context.
- B. The following listing is an accurate reflection of the terms of the UNC Code of the Board of Governors, the UNC Policy Manual, and applicable state law.
- C. In recognition of the fact that the Code, the UNC Policy Manual, and statutes are revised from time to time, any subsequent revisions of those sources of authority which supersede this Appendix are to be given full force and effect.
- D. The Board of Governors has reserved certain policy-making powers to itself, and certain policy-making powers have been delegated to the Boards of Trustees of constituent institutions. In other areas, authority over policy rests with the constituent institutions themselves.
- E. ECSU's Board of Trustees interprets the Board of Governors' delegation to the constituent institution to mean delegation to the Chancellor (or his/her designee) of this institution unless otherwise expressly provided.

II. Policy-Making Authority

Where the Board of Governors has specifically delegated policy-making authority to the Board of Trustees, the Code and UNC Policy Manual specifically refer to the Board of Trustees. (Ex: "The board of trustees of a constituent institution shall...") Policies established in the following areas require Board of Trustee approval. Please note: this list is not all-inclusive and is subject to change:

A. Budget Administration

B. Endowments and Trust Funds

- 1. Preservation, maintenance, and management of all properties, funds, valuables.

C. Facilities Management

- 1. Campus electric power plants
- 2. Campus water and sewer systems
- 3. Other campus utilities and facilities
- 4. Campus child development centers

D. Personnel

1. Non-Salary and Deferred Compensation
2. Administrative Separation and Retreat to Faculty Position

E. Education Planning and Policies

1. Student Services – type, level and extent (e.g. health care and counseling)
2. Illegal drug policy

F. Intellectual Property

1. Patent Policy and procedures concerning University ownership
2. Copyright Policies and procedures concerning University ownership

G. Honorary degrees, awards and distinctions

H. Approval of Ordinances controlling parking and traffic

I. Information Technology

1. Planning, acquisition, implementation, and delivery
2. Security and encryption (e.g. Identity theft and red flagging)
3. Hardware and software standards
4. Consulting and contract services
5. Disaster recovery standards
6. Other standards that may be necessary

III. Regulatory Authority

The Board of Trustees may make regulations governing certain areas of ECSU administration and operation. The Code and UNC Policy Manual generally indicate powers falling with in this area by using the following language: “A constituent institution shall [do “X”] subject to regulations established by the board of trustees.” Examples include:

A. Personnel

1. Discharge and suspension of faculty and administrative personnel

B. Education Planning and Policies

1. Scholarships limited in their application to or supported from sources generated by ECSU
2. Recognizing students receiving full scholarships as NC residents

C. Campus Law Enforcement

1. Creation and employment
2. Extending jurisdiction – city, county, and fellow institutions

Where the Board of Trustees has discretionary authority to pass regulations but elects not to, the area remains in the province of ECSU administration under the authority of the Chancellor.

IV. Specific Decision-Making Authority

Additionally, the Board of Governors may, in its discretion, delegate decision-making authority in specific situations to the Board of Trustees of constituent institutions. Those areas include:

A. Real property

1. Acquisition and disposition
2. Construction, improvement, and renovation
3. Selection of architects and Engineers
4. Approval of building Sites
5. Approval of plans and specifications
6. Final acceptance

B. Personnel

1. Appointment, promotion, and compensation for certain senior administrative and EPA positions (unless otherwise delegated by Board of Trustees policy)
2. Severance agreements with pay in excess of 90 days

C. Collecting and Recommending Changes in Tuition, Fees & Deposits

1. Tuition collection and tuition fee recommendations
2. Payment of advance deposits
3. Nonrefundable application fees
4. Weighing the benefits of an activity against the fee needed to support it
5. Acceptance of obligations in lieu of cash

D. Education Planning & Policies

1. Student Services – type, level and extent (e.g. health care and counseling)

E. Honorary degrees, awards and distinctions

V. Chancellor's Authority

A. Where No Delegation to Board of Trustees

Powers of administration and enforcement not delegated to the Board of Trustees and not inconsistent with the Code, Board of Governors or Board of Trustees Policy, or state or federal law may be exercised by the Chancellor.

B. Specifically Delegated Powers

Powers specifically delegated to the Chancellor are not subject to approval by the Board of Trustees unless otherwise required by the Board of Governors or state or federal law. For example, the Chancellor has been delegated the authority to implement the UNC Occupational Safety and Health Plan. Policies (if any) and procedures related to the UNC Occupational Safety and Health Plan would not be subject to Board of Trustee approval.