

WESTERN NEBRASKA COMMUNITY COLLEGE

Western Community College Area Board of Governors' Policy

TITLE: Delegation of Signature Authority

DIVISION: Administrative Services

CATEGORY: Fiscal

REFERENCE: WCCA BP-1xx Delegation of Authority to College President
WCCA BP-410 Conflict of Interest and Code of Ethics
Nebraska Statutes: §85-9,169 and §85-1511

NUMBER: BP-300

APPROVAL/DATE: F. Lynne Klemke, President, WCCA Board of Governors'
Date: January 15, 2020

Purpose

Establish a process for the delegation of signature authority for contracts, agreements, financial transactions, and any other legal relationship that obligates Western Nebraska Community College (WNCC). The proper authority for execution of binding contracts, grants, and memoranda of understanding with external entities is mandatory to minimize financial, legal, operational, and compliance-related risks for the benefit of the College.

Scope

Board policy permits the College President to implement procedures to delegate specific powers and duties to an executive employee. These procedures shall incorporate review to assure that legal requirements are met and that there is approval by other state agencies and officials as required by statute and state fiscal rules. The College President may withdraw or restrict such delegation as deemed appropriate. Independent contractors and consultants do not have the authority to bind the institution. An employee who signs a contractual or grant commitment that he or she is not authorized to sign can be held personally liable for the commitment.

Procedure

Authority to Commit Funds

The President has delegated transaction authority to the Vice President of Administrative Services to approve any transaction that does not specifically require Board action.

This Delegation of Signature Authority policy provides a process for delegating authority by the President as described in the following table. Amounts are the sum of payments over the life of the contract, agreement, financial transaction or other legal relationship.

\$10,000 and above	President or Vice President of Administrative Services/Treasurer
Below \$10,000 (financial transactions only*)	Executive Vice President, Vice President, Dean of appropriate division, or designated budget managers of specified unit or department.

* *Financial transactions are payment requests, expense reimbursement requests, p-card transactions/expense report approvals and journal entries, whether submitted by paper or electronically.*

Note: This procedure does not apply to the application process for externally funded grants.

Signature Requirements:

Any individual with signature authority must complete adequate review of proposed transactions before committing the College. Additionally, these individuals are responsible for determining the following:

- They have read and understand the document prior to signature.
- The transaction complies with all applicable laws, College policies, and procedures, as well as sponsor, donor, or any other restrictions.
- The document is consistent with sound business and legal practices, and College Legal Counsel has been consulted where needed to verify sound legal practices.
- An assessment has been made of the likely impact of the transaction on other offices or individuals at the College, and appropriate consultation has taken place with constituencies that might be involved in the transaction or contract. Examples: any agreement that involves computer hardware or software has been reviewed by the appropriate WNCC Information Technology staff member; any agreement that involves facilities use has been reviewed by the Vice President of Administrative Services.
- The resources (funding, personnel, facilities, and space) required to fulfill the contractual or grant commitment have been budgeted and are available. If resources are not available, the individual responsible for generating the contract must ensure through the appropriate level (President or Vice President) that resources will be made available.
- Any real or apparent conflict of interest exists on the part of the individual or organization involved in a transaction, as provided by the College’s Conflict of Interest and Code of Ethics policy (BP-410). Where such a conflict exists, the individual must declare and/or resolve the issue before entering into the transaction or contract.

Authority to Receive

The President hereby delegates the authority to receive student financial aid monies, and to receive gifts, services, goods, property, or other money so long as they are unencumbered to the Vice President of Administrative Services.

Conditions of Delegation

It is the responsibility of the College President to assure that funds are available within approved budgets and that actions are consistent with federal and/or state statutes, state fiscal rules, Board policy, and other state and federal rules and guidelines. The President will promulgate procedures to assure that contractual arrangements meet all legal requirements and that approvals of other agencies and officials are obtained as may be required by statute or state fiscal rules.

Revising this Policy

This WCCA Board policy supersedes any prior WNCC policy, procedure, guideline or handbook on this subject matter.

If statutory provisions, regulatory guidance, or court interpretations change or conflict with this Board Policy, the Board retains the right to revise accordingly and for the changes to take effect immediately.

Adoption Date and Board of Governors' Minutes Item Number:	1979
Revision Date and Board of Governors' Minutes Item Number:	January 15, 2020
Prior Policy Number:	
330.0800.79	
Schedule for Review:	
Divisions/Department Responsible for Review and Update:	Administrative Services
Sponsoring Division/Department:	Administrative Services
Repeal Date and Board of Governors' Minutes Item Number:	
Cross Reference:	
Procedure(s) for Policy:	
Related Policies/References:	