



SUBJECT: Governance and Organization
PROCEDURE: 106.1.1 Delegation of Authority
EFFECTIVE: July 2010 **REVISED:** August 2023 **REVIEWED:**

Introduction & Purpose

The purpose of this procedure is to outline the types of delegation of authority and when it is allowed.

Procedure:

Delegations of authority are appropriate where the delegation will enhance the effectiveness and efficiency of the operation without risking the integrity of the internal control necessary for accountability. No delegation shall be made of all or substantially all of the powers held by any persons making a delegation, or where checks and balances would be minimized.

The following responsibilities may NOT be delegated, but must be approved by the party indicated the chart in Appendix A:

- Affiliation Agreements
- Construction Contracts
- Donor Agreements
- Employment Agreements
- Federal and State Regulatory Agreements
- Financial Aid Agreements
- Lease Agreements
- Litigation Settlements
- Memoranda of Agreement/Understanding - Academic
- Memorandum of Understanding/Agreement - Other
- Non-Contractual HR Forms
- Purchasing Agreements
- Transfer of Real Property
- Services Agreements (See Purchase Agreements)

Delegate Qualifications

Individuals who receive delegated authority shall have active involvement with the activity being conducted; and have sufficient knowledge of the College policies, rules, laws, regulations and procedures to ensure compliance. Delegator will provide for training to the Delegate to ensure compliance with legislation and the policies referred to above.

Authority to Receive Delegations

A delegation of authority shall be commensurate with the employee's role within the organization. No delegation shall be made to any employee whose level of responsibility within the College is lower than the level of employee who reasonably could be expected to understand and act in respect to the powers being delegated.

Delegation Management



Each division is responsible to manage and monitor its divisional delegations of authority. This includes maintaining official files of all delegations of authority and conducting annual reviews of all the delegations to ensure that they are revised as necessary.

Delegations of authority must be documented on the form prescribed by the CEO/Dean or Executive Director of Operations. Original delegations will be maintained by the Controller in accordance with applicable records retention guidelines.

Effective Dates

A delegation of authority shall become effective on the date the delegation is fully executed. Delegations shall continue until revoked or modified because the delegate leaves the position or has his/her duties and responsibilities changed to broaden or lessen the areas of delegation. The divisions are responsible for maintaining active and up to date delegations of authority and should review all delegations annually to assure that the delegations on file with the Controller are current. The delegation must be fully executed before any documents are signed by the Delegate.

Internal Controls

Delegates may not approve transactions for themselves or their relatives or approve transactions directly benefit themselves or their relatives or, in any way, create a conflict of interest with the Delegate's responsibilities to the College. Such transactions must be countersigned by another authorized person, usually the person of next higher authority.

There must be a separation of duties between the approval of expenditures and the reconciliation of divisional financial accounts. Delegates may not be the person solely responsible for reconciling/verifying the expenditures with the division budget. Divisions with very few staff that are unable to segregate duties require the division head to attest to the implementation of alternate compensatory internal controls.



Appendix A:

NON-DELEGABLE RESPONSIBILITIES

	Type of Contract	Routing for Review	Authority to Execute
Affiliation Agreements	Academic agreements with other institutions/entities	Appropriate Administrator ¹	CEO/Dean
Construction Contracts	Physical Plant Construction	Facilities Director State A&E, if required	CEO/Dean or Exec. Director of Operations
	Modification/alteration to buildings	Facilities Director State A&E, if required	CEO/Dean or Exec. Director of Operations
Donor Agreements	Outright Gift to College	CEO/Dean or Exec. Director of Operations	CEO/Dean or Exec. Director of Operations
Employment Agreements	Offer/Hire Letters, Tenure/Tenure Track Faculty	Division Director Exec. Director of Instruction	CEO/Dean
	Offer/Hire Letters, Contract Professionals-Board of Regents	Director of Human Resources Appropriate Administrator	CEO/Dean
	Board of Regents Contracts	CEO/Dean	CEO/Dean
	Letter of Appointment-Adjunct; non-tenured faculty; grant funded professional	Division Director Director of Human Resources	CEO/Dean or Exec. Director of Instruction
	Summer session faculty appointments	Division Director Director of Human Resources	CEO/Dean or Exec. Director of Instruction
	Modification of Leave of Absence with salary changes	Division Director Director of Human Resources Appropriate Administrator CEO/Dean	CEO/Dean or Director of Human Resources
	Modification of Leave of Absence without salary change	Division Director Director of Human Resources Appropriate Administrator CEO/Dean	CEO/Dean or Director of Human Resources
	Additional compensation – Faculty or Contract Professional	Division Director Director of Human Resources Appropriate Administrator CEO/Dean	CEO/Dean or Director Human Resources
Facilities Use	Use/Rental of campus facilities including classrooms	Director of Facilities Event Coordinator	Exec. Director of Operations
Federal and State Regulatory Agreements	Permits, licenses, declarations, applications filed with state, local or federal regulatory agencies on behalf of the College	Division Director Director of Facilities (as appropriate) Appropriate Administrator CEO/Dean	CEO/Dean



Financial Aid Agreements	Program Participation Agreements	Director of Financial Aid CEO/Dean US Dept of Education	CEO/Dean
	Consortium Agreements (Student & term specific)	Financial Aid Director Other school's Financial Aid Office	Financial Aid Director
	Work Study Contracts – On campus or Off campus	Work study employer Financial Aid Director	Financial Aid Director
Lease Agreements	Equipment Lease/Use agreement (College as lessee)	Division Director Exec. Director of Operations Appropriate Administrator	Exec. Director of Operations
	Real Property Leases (College as lessee)	Appropriate Administrator Director of Facilities Exec. Director of Operations Legal	CEO/Dean or Exec. Director of Operations
Litigation Settlements	All litigation settlements or payments	Legal CEO/Dean Board of Regents, if necessary	CEO/Dean MSU President Board of Regents
Memorandum of Agreement /Understanding – Academic	General MOA/MOU (Documents programmatic commitments between college and non-college entities to perform educational and service activities)	Division Director Exec. Director of Operations Appropriate Administrator	Appropriate Administrator CEO/Dean
	Training Affiliations (documents the mutual obligations for training/internship opportunities for college students)	Division Director Exec. Director of Operations Appropriate Administrator	Appropriate Administrator CEO/Dean
Memorandum of Agreement/ Understanding – Other	Pledge of programmatic commitments not involving academic programs	Division Director Exec. Director of Operations Appropriate Administrator	CEO/Dean



Non-contractual HR forms	Classified Fixed Term Request	Division Director Appropriate Administrator	CEO/Dean or Director of Human Resources
	Family & Medical Leave Request	Appropriate Administrator	Director of Human Resources
	Funding Change Only	Division Director Appropriate Administrator	Exec. Director of Operations
	Hiring Rationale/Summary of Search Process for Offers Above Entry -Classified	Division Director Exec. Director of Operations Appropriate Administrator CEO/Dean	Director of Human Resources
	I-9 Employment Verification		Director of Human Resources
	Leave Without Pay Request	Division Director Appropriate Administrator	Director of Human Resources
	Lump Sum Bonus	Division Director Exec. Director of Operations Appropriate Administrator CEO/Dean	CEO/Dean Director of Human Resources
	Performance Evaluation-Classified	Director of Human Resources	Supervisor Division head
	Position Description		Director of Human Resources
	Progression Plan	Division Director Appropriate Administrator CEO/Dean	Director of Human Resources
	Recruitment Authorization Form	Division Director Exec. Director of Operations Appropriate Administrator CEO/Dean	Director of Human Resources
	Role Description		Director of Human Resources
	Sick Leave Direct Grant Form		Director of Human Resources Payroll Officer
	Separation/Termination Checklist		Director of Human Resources
	Strategic pay Request	Exec. Director of Operations Appropriate Administrator CEO/Dean	Director of Human Resources
	Student Work Study	Division Director	Financial Aid Director
	Referral for Student Employment	Student Supervisor or Division Director	Appropriate Administrator
	Summer Session Appointment form		CEO/Dean Exec. Director of Instruction
	Temporary Hourly Non-Classified Appointment form	Division Director Exec. Director of Operations Appropriate Administrator CEO/Dean	Director of Human Resources



Real Property	Sale, Exchange, Easement or Purchase	Facilities Director Legal Exec. Director of Operations CEO/Dean President Board of Regents	Board of Regents
Other Agreements	Any contract or agreement not otherwise specified	Division Director Exec. Director of Operations	Appropriate Administrator CEO/Dean

¹By BOARD OF REGENTS policy [706.1 \(E\)](#), Administrators for the College are the CEO/Dean, Assistant Dean(s), Associate Dean(s) and Executive Directors.



Appendix B

Purchasing Agreements

The General Services Division of the Department of Administration, State of Montana, entered into a Procurement Delegation Agreement (PDA) with MSU in Bozeman. This agreement allows the MSU in Bozeman Purchasing Department to further delegate purchasing authority across affiliate campuses. The authority granted below is in accordance with the PDA.

The matrix below provides signature authority levels. There are some exceptions to this matrix, which are too extensive to include below. For example, Divisions are not authorized to issue contracts for vehicles, photocopiers, etc. When buying goods and services on behalf of your division, please ensure you are authorized to sign the contract. When in doubt, please contact the College Purchasing Officer or Controller prior to signing any document that legally binds the College. The College must comply with the Montana Procurement Act, Title 18 of the Montana Code Annotated.

The College must use the most current forms available (e.g., Standard Statements and Boilerplate Terms and Conditions, IFB forms, RFP templates, Limited Solicitation forms, Sole Source/Sole Brand Justification forms) in their entirety unless exceptions are approved by the General Services Division.

MSU in Bozeman Legal Services must, prior to award, approve any contract that is not an approved template.

The College agrees that all vendor requests for exceptions to standard contract language or templates will be approved in writing by (1) MSU in Bozeman Legal Counsel or (2) the State Procurement Bureau. The first preference is to obtain approval from MSU in Bozeman Legal Counsel.

Type of Contract	Authority to Execute Contracts up to \$25,000	Authority to Execute Contracts up to \$500,000
Purchase of Equipment, contracted services Note: Any purchase utilizing grant funds must have the signature of the grant program officer	Executive Director of Operations	MSU in Bozeman Purchasing Department