

Policy on Delegation of Authority and Acting for the President

Approval Authority: Board of Governors

Established On: 2022 05 12

Amendments: n/a

Category: Board

1.0 Purpose

The purpose of the Delegation and Acting for the President, Vice Chancellor (“President”) policy is to establish the authority for the President and administration to act on behalf of NOSM University. To facilitate the effective and efficient management and operation of the University, the Board of Governors delegates its powers and confers on the President the authority for the University in accordance with legislation, by-laws, and policies.

Within NOSM University’s bicameral governance model, the President functions primarily as the dean of medicine and the chief executive officer of the University. The University’s executive group and senior administrative leadership oversees the management of the organization and academic programs. The President shall have supervision over and direction of the academic and general administration of the University, its Students, Teaching Staff, and Non-Teaching Employees.¹

The President determines and defines sub-delegations (the authority delegated to senior executive and employees) for authorizations, including commitments and contracts and purchases and payments as well as responsibilities and authorities of its dean in both administrative and academic matters.

All sub-delegations shall be reasonable based on position, appropriate based on levels of responsibility, and documented and monitored for adherence through a framework of policies and procedures.

2.0 President’s Delegations of Authority (Board By-laws – Section 12)

The President may delegate authority that has been given to the President by the Board of Governors and not otherwise restricted by specific Board policies or directives. As outlined in the bylaws the President delegates their powers and duties, including the Vice-President, vice-deans, associate and assistant deans, department heads, senior administrative staff, faculty, and operational committees.

The President may condition, limit, or revoke any delegated signature authorities at any time. Authorities retained by the president may not be exercised by any other person, unless expressly authorized by administrative policy or presidential directive.

3.0 Sub-Delegations of the President’s Authority

Direct reports to the President and to whom the President has delegated signature authorities may, but need not, sub-delegate signature authorities to positions who report to them and so on

¹ Section 12.3 Duties of Officers – Board of Governors By-Law No 1

throughout the organization. These leaders are ultimately responsible and accountable for the proper sub-delegation of the President's authorities throughout their units, in accordance with this policy.

4.0 Scope of Authority

Delegates must act only within the scope of that delegation, including limiting their actions to the portfolio, division or program referenced in the delegation. Delegates who act outside the scope of their authority and do not have documented authority to do so may be subject to disciplinary action, up to and including termination.

Individuals with delegations of authorities that require additional approvals (e.g., legal or financial) must ensure that these additional approvals are obtained. (See Board Policies: Financial Delegation of Authority, Signing Authorizations, and other applicable University policies.)

If there is an ambiguity or an inconsistency involving delegation assignments, the President will determine who has the ultimate authority.

The President may delegate their authority, during the period of any absence, to any other officer of the University. (§12.9) and the Board may, in the case of an extended absence of the President, and shall, in the event of a vacancy in the office of the President, appoint an acting President, upon such terms and conditions as the Board may prescribe. (§12.10)

In any case designation through temporary or extended shall be in the form of writing which includes without limitation email.

5.0 Process and Defining Terms as it relates to this Policy:

1. **Temporary Absence:** The term "temporary absence" includes, without limitation:
 - for urgent or emergency matters, any time when the President is reasonably out of the office and unavailable.
 - for routine matters, any time when the President is out of the office for more than two business days.
 - any period where the President has expressly, in writing, informed someone that they are the Acting for the President; and
 - any absence or unavailability of the President whenever presidential decisions or actions are urgently or specifically needed for the good order of the University, or safety of the University or its constituents.
2. **Extended Absences:** The term "Extended Absence" is any time when the President is absent from campus for extended periods of time (more than 5 consecutive days), is out of province or country and/or cannot be reached for more than 24 hours.
3. **Designation During Extended Absence:** In the event of any temporary absence or incapacity of the President, the following persons may be appointed Acting for the President, with all the powers and duties of the President:
 - a) the Provost (if one is appointed)
 - b) the Vice-President (Administration and Finance)

c) the Vice Deans

Due to the unique nature of the distinct role, the President may delegate authority to one or more persons from the above list.

For greater certainty, a position listed in the above list would act only in the event of a temporary absence or incapacity of each other described in an earlier subparagraph.

And unless otherwise determined by the President, if a person listed is serving in an acting or interim capacity, they shall be last in the "acting" rotation.

The Board shall determine the designation should the President be unable to do so (i.e., Serious injury, incapacitated or fatality)

4. **Alternate Designations during Absence:** The President and/or Board of Governors may at any time override the designations set out in this Policy and designate presidential authority to any other officer for any period of temporary absence of the President.
5. **Vacancy or Incapacity:** The Board of Governors may appoint an Acting President at any time during a vacancy in the Office of the President or incapacity of the President and initiate the Search and Reappointment procedures.
6. **Approval by Chair of the Board:** For greater certainty, and without limiting the generality of this Policy, the Acting President in their discretion may seek approval or authorization of any actions or financial instruments (including without limitation travel expense claims and expense reimbursement requests) from the Chair of the Board or utilizing such other procedure normally utilized by the President.

6.0 Interpretation

Questions of interpretation or application of this policy or its procedures will be referred to the:

- University Secretary governance@nosm.ca

7.0 Related Documents

Related policies:

- Search and Reappointment Policy
- Financial Delegation of Authority
- Signing Authorizations
- Long Term Delegation of Financial Authority Form
- Temporary Delegation of Financial Authority Form

Legislation and Information

- NOSM University Act, 2021

AUTHORITIES AND OFFICERS

The following is a list of authorities and officers for this policy:

- a. Approving Authority: Board of Governors
- b. Responsible Officer: Board Chair
- c. Procedural Authority: Board of Governors
- d. Procedural Officer: University Secretary

Review and Revision History

Review Period: 5 years or as required

Date for Next Review: 2027 01