

**3359-3-01      Officers of business and finance.**

(A)    The president of the university, as specified in rule 3359-1-05 of the Administrative Code, the president is executive head of all university colleges and departments possessing duties, responsibilities and powers as delineated in the bylaws.

(B)    Vice president for business and finance and chief financial officer.

- (1)    The vice president for business and finance and chief financial officer shall be appointed by the board upon recommendation of the president; shall hold office at the discretion of the president; and shall be responsible to the president.

Notwithstanding the direct reporting relation between the vice president for business and finance and chief financial officer to the president, it shall be the duty and responsibility of vice president for business and finance and chief financial officer to coordinate with and keep the senior vice president and provost informed in advance on all matters, initiatives, or decisions within their area of responsibility that involve academic matters, or that have a reasonable expectation of involving or affecting the academic programs, activities, or directions of the university.

- (2)    The vice president for business and finance and chief financial officer shall be responsible for the supervision and administration of functions encompassed by the division of business and finance: business services, financial services, and resource analysis and budgeting.
- (3)    The vice president for business and finance and chief financial officer shall be responsible for the financial administration of the university including budgeting; the collection, deposit, and disbursement of all funds; purchasing and risk management; central stores; insurance plans of the university; and the development of budgets for auxiliaries operated by others, such as the E. J. Thomas performing arts all, university housing, rubber bowl, athletics, telecommunications, and ~~gardner student center~~ the student union.
- (4)    The vice president for business and finance and chief financial officer shall, in consultation with the finance and fiscal policy committee of the board, oversee the investment and management of funds. The vice president for business and finance and chief financial officer receives and has custody of university equipment, gifts and property listed in the departmental inventories; and is responsible for the safekeeping of financial records, papers, or instruments of value including, but not limited to, notes, stocks, bonds, financial obligations, securities, investments, funds, or any other item or information serving to document or assist with the financial management of the university.

- (5) The vice president for business and finance and chief financial officer shall be responsible for acquisition of land, negotiation of leases, and negotiation of financial matters, such as sale of notes and bonds, all subject to approval of the president and board.
  - (6) The vice president for business and finance and chief financial officer shall be responsible for administration of the functions of mail services, the John W. Heisman lodge, and Hower house.
  - (7) The vice president for business and finance and chief financial officer, along with the president and the senior vice president and provost, may execute contracts on behalf of the university of Akron. Others may execute contracts only as authority is specifically designated by these regulations.
  - (8) The vice president for business and finance and chief financial officer shall perform such other duties as may be assigned by the president.
- (C) Associate vice president for business and finance.
- (1) The associate vice president for business and finance shall be appointed by the board upon recommendation of the president, shall hold office at the discretion of the president, and shall be responsible to the president through the vice president for business and finance and chief financial officer.
  - (2) The associate vice president for business and finance shall be responsible to the vice president for business and finance for the administration of the functions encompassed by the separate departments of parking services, university dining services, printing services, and director of budgets.
  - (3) The associate vice president for business and finance shall be responsible for the scheduling of functions at the John W. Heisman lodge.
  - (4) The associate vice president for business and finance shall be responsible for financial analysis, and development of resource opportunities.
  - (5) The associate vice president for business and finance shall assist the vice president for business and finance by performing those duties as may be assigned by the vice president for business and finance.
- (D) Executive director of human resources
- (1) The executive director of human resources shall be appointed by the board upon recommendation of the president, and shall hold office at the discretion of the president, and shall be responsible to the president through the vice president of business and finance and chief financial officer.

- (2) The executive director of human resources shall be responsible for those items listed in section 3359-03-05(B) of the Administrative Code.

~~(D)~~(E) Controller.

- (1) The controller shall be appointed by the board upon recommendation of the president, shall hold office at the discretion of the president, and shall be responsible to the president through the vice president for business and finance and chief financial officer.
- (2) The controller shall maintain accounting records, on a consistent basis, in which all funds, accounts, receipts, expenditures, and financial matters of the university shall be entered and posted in conformity with generally accepted accounting principles, so as to show fully and clearly at all times the financial condition of the university.
- (3) The controller shall keep an inventory of all university property used for instructional, research, and residential purposes, and statistics as to the use thereof, and its condition.
- (4) The controller shall prepare periodic financial reports for presentation to the board by the vice president for business and finance and shall also prepare periodic financial reports for presentation to various state and federal agencies, as required by state and federal agencies.
- (5) The controller shall be responsible for receipt of and disbursing of all funds, and shall assist the treasurer in the investment of all available current funds.
- (6) The controller shall perform other duties as may be assigned by the vice president for business and finance.

~~(E)~~ University auditor.

- ~~(1) The university auditor shall be appointed by the board upon recommendation of the president, shall hold office at the discretion of the president, and shall be responsible to the president through the vice president for business and finance.~~
- ~~(2) The auditor shall audit and verify purchase orders and vouchers for bills and salaries. The auditor shall audit receipts of funds, including student tuition, and fees, and the deposits thereof in banks and shall be responsible for the reconciliation of all bank accounts.~~
- ~~(3) The auditor shall audit general funds, auxiliary funds, restricted funds, and plant funds, and shall work closely with auditors appointed by the board and auditor of state.~~

- ~~(4) The auditor shall periodically and from time to time inspect securities, supplies, and equipment owned by the university.~~
  - ~~(5) The auditor shall periodically review and make recommendations for improvements of the system of internal control in effect in all subdivisions and agencies having control of funds and/or property.~~
  - ~~(6) The auditor shall conduct such other investigations and studies as the president or vice president for business and finance may request.~~
  - ~~(7) The auditor shall render formal reports on audits and examinations as requested from time to time by the board, president, or vice president for business and finance, including an annual audit plan and an assessment of audit results for the past year.~~
  - ~~(8) The auditor shall have access to the minutes of the board and appropriate committees which pass upon matters of finance and accounting.~~
  - ~~(9) The auditor shall perform such other duties as may be assigned by the vice president for business and finance.~~
- (F) Director of purchasing.
- (1) The director of purchasing shall be appointed by the board upon the recommendation of the president and shall hold office at the discretion of the president. The director of purchasing shall be responsible to the president through the vice president for business and finance and chief financial officer.
  - (2) The director of purchasing conducts routine purchasing, accounting, and budget control transactions in accordance with good business practice and, where applicable, the regulations of the state of Ohio. The purchasing procedures to be followed shall be:
    - (a) Contracts involving the expenditures of money within the limits fixed by board appropriation may be made on behalf of the university by the president, vice president for business and finance, director of purchasing, or senior vice president and provost, within the scope of their authority, as set forth in the bylaws and regulations of the board.
    - (b) The dean of the university libraries and the law librarian may make contracts for the purchase of library books and periodicals within their budgets for the respective libraries. Managers of campus stores may purchase stock for purposes of resale. The director of dining

services may make purchases of food and expendable stocks.

- (c) The director of E. J. Thomas performing arts hall may purchase the services of performing artists and enter into contracts with these artists on behalf of the university. The athletic director may execute contracts with other colleges and universities for intercollegiate athletic events.
- (d) Purchases shall be made on forms containing certificates indicating the tax exempt status of the university.
- (e) A competitive bid process and/or a negotiation process, as approved by the director of purchasing and the office of general counsel, shall be utilized in all cases where the goods or services to be purchased shall cost in excess of \$25,000 and contracts for the purchase of such goods or services shall be awarded in accordance with established university procedures.
- (f) Any purchase of goods or services that cost less than \$25,000 may be submitted to vendors for competitive bidding. In determining whether competitive bidding and/or negotiations shall be appropriate, the director of purchasing shall consider the availability of source of materials or services or whether timely quotations for such materials or services are already available. The foregoing requirements for competitive bidding shall not apply to: (a) the purchase of stock for purposes of resale in campus stores; (b) the purchase of books or publications for the campus libraries; (c) situations involving emergencies; (d) the purchase of proprietary goods or services that are only available from a sole source; (e) professional contracted services; (f) the purchase of goods or services from vendors covered by consortium group contracts such as the state of Ohio, inter-university council of Ohio (IUC), and community, university, and educational cooperative and purchasing association (CUE); or (g) any approved negotiation processes.

The director of purchasing shall take full advantage of state of Ohio contracts with suppliers negotiated by the Ohio department of administrative services, state purchasing department. The director of purchasing shall also make efficient use of the inter-university council purchasing contracts and other cooperative purchasing association contracts available to state universities.

- (g) Any purchase of construction services in excess of \$25,000 must be by competitive bid. For construction services in excess of \$25,000 a request for competitive bid must be advertised in a newspaper of general circulation and/or other electronic means approved by the

director of purchasing.

The limitations provided in this authority shall not be avoided through multiple purchases of goods or services under the limits authorized or through aggregations or purchases at the same or different times.

- (h) Any purchase of goods or services in excess of \$150,000, except for subcontracts issued through externally funded research grants and contracts for which the university is the grantee, shall be submitted to the board for prior approval. All purchases of goods and services in excess of \$25,000, but less than \$150,000, including all subcontracts through externally funded grants, shall be reported to the board.

Except where prohibited by law, competitive bidding requirements of the university may be waived under limited and exceptional circumstances. Exceptional circumstances which warrant the waiver of competitive bidding include, but are not limited to, responding to emergencies resulting from fire, flood, freezing, or other acts of god, situations in which it may reasonably be determined by a prudent person standard that there is substantial financial or other risk or substantial financial or other opportunity to the university such that the risk or opportunity clearly warrants waiver, as well as emergencies necessitated by the immediate need to comply with laws or regulations affecting persons or property owned, leased, or operated by the university.

In order to implement the procedure to waive competitive bidding, the appropriate vice president must provide such request for waiver to the director of purchasing in advance with a written certification by the vice president as to the rationale supporting the need to waive competitive bidding. The director of purchasing shall review all requests for waiver with the office of general counsel, and the director of purchasing shall make the final decision as to whether the waiver shall be authorized based on the guidelines in this rule.

Purchases resulting from the waiver of competitive bidding shall be separately identified in the vendor reports provided to the board of trustees at the next regularly scheduled meeting of the board of trustees. In no event shall the director of purchasing waive competitive bidding for any purchase in excess of \$150,000.

The limitations provided in this authority shall not be avoided through multiple purchases of goods or services under the limits authorized or through aggregations or purchases at the same or different times.

- (i) The director of purchasing shall search for new vendors and

contractors, especially vendors and contractors owned and operated by individuals categorized as minorities, and shall honor state laws concerning purchasing set aside rules favoring minorities, and shall communicate to others on campus the desirability of using minority vendors.

- (j) The purchase of insurance occasionally can be more economical and efficient through direct placement rather than competitive bid. In such instances, the trustees must be notified of action taken and the vice president for business and finance shall report why the purchase was done by direct placement rather than through competitive bid.
- (k) The disposal of surplus equipment and supplies is the responsibility of the director of purchasing. The director of purchasing will follow the disposal procedures as outlined in the surplus property recycling handbook.
- (l) The director of purchasing shall perform other duties as assigned by the vice president for business and finance.
- (m) The director of purchasing shall establish a travel program for all employees at the university of Akron, which will provide for consistency with all university rules and practices and prohibitions that are not consistent with such program. Such program shall be subject to review and approval by the vice president for business and finance and the vice president and general counsel.

(G) Treasurer.

- (1) The treasurer shall be appointed by the board upon recommendation of the president, shall hold office at the discretion of the president and shall be responsible to the president through the vice president for business and finance and chief financial officer.
- (2) The treasurer shall be responsible for coordinating activities with portfolio managers appointed by the board and evaluating endowment fund investment performance based on board policies.
- (3) The treasurer shall be responsible for the management and investment of operating funds, including the monitoring of investment managers and overseeing their compliance with board policy concerning securities, quality constraints, and maturity guidelines as well as recommending modifications to the strategic policies.
- (4) The treasurer shall prepare periodic financial reports on endowment and operating funds for presentation to the board by the vice president for

business and finance.

- (5) The treasurer shall be responsible for relations with financial institutions and for soliciting and evaluating general banking services.
  - (6) The treasurer shall assist in the evaluation of capital asset financing alternatives through bonds, notes, leases, or by other means.
  - (7) The treasurer shall perform such other duties as may be assigned by the vice president for business and finance.
- (H) Director of the budget.
- (1) The director of the budget shall be appointed by the board upon recommendation of the president, shall hold office at the discretion of the president, and shall be responsible to the president through the vice president for business and finance and chief financial officer.
  - (2) The office of the director of the budget supports the annual development of the general fund and auxiliary budgets for both the Akron and Wayne college campuses, including development of salary fringe benefits, and fixed obligation expenses. The office of the director of the budget also develops initial revenue estimates based on a variety of criteria, such as projected credit hours, number of students, consultation with the Ohio board of regents, and approved rates.
  - (3) During the fiscal year, the office of the director of the budget monitors and analyzes actual revenues, salaries, and other expenditure components compared to budget; provides support to all units regarding their budgets; researches areas of inquiry and suggests methods for accomplishing objectives; confirms salary funding availability for each position based on information provided by the initiating unit; and administers deficit account monitoring to ensure compliance with the board of trustees' policy prohibiting departments from operating with deficit balances.
  - (4) In addition, the office of the director of the budget also distributes monthly computer-generated reports such as budget statements, processes all general fund and auxiliary budget amendments, provides supporting information to campus committees as requested, creates ad hoc reports based on campus-wide and senior management inquiries, projects tuition, fees, and state subsidy revenues utilizing computer models developed by the office, and provides and prepares financial materials for submission by the vice president for business and finance to the board of trustees.
  - (5) The director of the budget is responsible to associate vice president for business and finance, who reports directly to the vice president for business



and finance. In addition to these duties, this office shall perform such other duties as may be assigned by the vice president for business and finance.

- (I) Other administrative officers and assistants. Such other administrative officers and assistants as are needed to carry on effectively the work of the university may be appointed by the board upon recommendation of the president of the university who shall define their duties and responsibilities.