

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

(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 finance and administration and chief financial officer.

- (1)    The vice president for finance and administration 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 finance and administration and chief financial officer to the president, it shall be the duty and responsibility of the vice president for finance and administration and chief financial officer to coordinate with and keep the senior vice president and provost and chief operating officer 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 finance and administration and chief financial officer shall be responsible for the supervision and administration of functions encompassed by the division of finance and administration, including all fiscal operations, financial planning and budgeting, treasury services, student financial services, labor relations, human resources, purchasing, Hower house, parking services, dining services, telecommunications and other auxiliary services.
- (3)    The vice president for finance and administration 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 hall, university housing, rubber bowl, athletics, and the student union.

- (4) The vice president for finance and administration and chief financial officer shall, in consultation with the finance, fiscal policy and investment committee of the board, oversee the investment and management of funds. The vice president for finance and administration 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 finance and administration 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 finance and administration and chief financial officer shall be responsible for administration of the functions of parking services, dining services, materials handling, retail service, telecommunications, the John W. Heisman lodge, and Hower house.
  - (7) The vice president for finance and administration and chief financial officer, along with the president and the senior vice president and provost and chief operating officer, 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 finance and administration and chief financial officer shall perform such other duties as may be assigned by the president.
- (C) Associate vice president for treasury and financial planning.
- (1) The associate vice president for treasury and financial planning 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 finance and administration and chief financial officer.

- (2) The associate vice president for treasury and financial planning shall be responsible to the vice president for finance and administration and chief financial officer for the administration of the functions encompassed by the separate offices of resource analysis and budget, treasury services, and foundation accounting.
- (3) The associate vice president for treasury and financial planning shall be responsible for the scheduling of functions at the John W. Heisman lodge.
- (4) The associate vice president for treasury and financial planning shall be responsible for financial analysis and development of resource opportunities.
- (5) The associate vice president for treasury and financial planning shall assist the vice president for finance and administration and chief financial officer by performing those duties as may be assigned by the vice president for finance and administration and chief financial officer.

~~(D) — Associate vice president for human resources and employee relations.~~

- ~~(1) — The associate vice president for human resources and employee relations 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 finance and administration and chief financial officer.~~
- ~~(2) — The associate vice president for human resources and employee relations shall be responsible for those items listed in paragraph (B) of rule 3359-03-05 of the Administrative Code.~~

~~(E)~~(D) Associate vice president/controller.

- (1) The associate vice president/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 finance and administration and chief financial officer.

- (2) The associate vice president/controller shall be responsible to the vice president for finance and administration and chief financial officer for the administration of the functions encompassed by the separate areas of purchasing, student accounts/bursar, and the controller.
- (3) The associate vice president/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.
- (4) The associate vice president/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.
- (5) The associate vice president/controller shall prepare periodic financial reports for presentation to the board by the vice president for finance and administration and chief financial officer and shall also prepare periodic financial reports for presentation to various state and federal agencies, as required by state and federal agencies.
- (6) The associate vice president/controller shall be responsible for the receipt of and disbursing of all funds, and shall assist the treasurer in the investment of all available current funds.
- (7) The associate vice president/controller shall perform other duties as may be assigned by the vice president for finance and administration and chief financial officer.

~~(F)~~(E) 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 finance and administration 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 finance and administration and chief financial officer, director of purchasing, or senior vice president and provost and chief operating officer, 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 and to execute license agreements for additional library resources, within their budgets for the respective libraries.
  - (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 to be purchased shall cost in excess of twenty-five thousand dollars or services to be purchased shall cost in excess of fifty thousand dollars, and contracts for the purchase of such goods or services shall be awarded in accordance with established university procedures.
  - (f) Any purchase of goods that cost less than twenty-five thousand dollars or services that cost less than fifty thousand dollars 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:

- (i) the purchase of stock for purposes of resale in campus stores;
- (ii) the purchase of books or publications for the campus libraries;
- (iii) situations involving emergencies;
- (iv) the purchase of proprietary goods or services that are only available from a sole source;
- (v) professional contracted services;
- (vi) 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
- (vii) 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 fifty thousand dollars must be by competitive bid. For construction services in excess of fifty thousand dollars 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 three hundred fifty thousand dollars, 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 in excess of twenty-five thousand dollars and services in excess of fifty thousand dollars, but less than three hundred fifty thousand dollars, 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 or force majeure, 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 three hundred fifty-thousand dollars.

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 finance and administration and chief financial officer shall report why the purchase was done by direct placement rather than through competitive bid.
- (k) The director of purchasing shall perform other duties as assigned by the vice president for finance and administration and chief financial officer.
- (l) 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 finance and administration and chief financial officer and the vice president and general counsel.

~~(G)~~(F) 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 finance and administration 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 finance and administration and chief financial officer.
- (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 finance and administration and chief financial officer.

~~(H)~~(G) Director of the office of resource analysis and budget.

- (1) The director of the office of resource analysis and 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 finance and administration and chief financial officer.
- (2) The 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 resource analysis and 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 resource analysis and 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 resource analysis and 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 finance and administration and chief financial officer to the board of trustees.
- (5) The director of the office of resource analysis and budget is responsible to associate vice president for treasury and financial planning, who reports directly to the vice president for finance and administration and chief financial officer. In addition to these duties, this office shall perform such other duties as may be assigned by the vice president for finance and administration and chief financial officer.

~~(H)~~(H) Associate vice president for auxiliary enterprises.

- (1) The associate vice president for auxiliary enterprises 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 finance

and administration and chief financial officer.

- (2) The associate vice president for auxiliary enterprises shall be responsible to the vice president for finance and administration and chief financial officer for the administration of the functions encompassed by the separate offices of parking services, dining services, retail operations, printing services, materials handling, the Hower house, and telecommunications.
- (3) The associate vice president for auxiliary enterprises shall be responsible for administration of the services provided by the department of central stores. The disposal of surplus equipment and supplies is the responsibility of the director of materials handling. The director of materials handling will follow the disposal procedures as outlined in the surplus property recycling handbook.
- (4) The associate vice president for auxiliary enterprises shall assist the vice president for finance and administration and chief financial officer by performing those duties as may be assigned by the vice president for finance and administration and chief financial officer.

~~(J) Senior assistant vice president of employee and labor relations~~

- ~~(1) The senior assistant vice president of employee and labor relations shall be appointed by the board upon the recommendation of the president, shall hold office upon the discretion of the president and shall be responsible to the president through the vice president for finance and administration and chief financial officer or his or her designee. The senior assistant vice president of employee and labor relations shall consult and confer with the senior vice president and provost and chief operating officer while serving as a liaison on employee and labor relations matters.~~
- ~~(2) The office of employee and labor relations shall have responsibility for coordination of collective bargaining of all university labor agreements and matters including, but not limited to, administration and interpretation of all university labor agreements; grievances filed under the university's labor agreements, including arbitration; unfair labor practice proceedings and union representation matters and to provide advice and~~

~~assistance to university management employees on labor relations matters. Such matters shall include, but not be limited to, wages, hours, benefits, and other conditions of employment.~~

~~(3) The office of employee and labor relations shall have the responsibility to provide education and training for management employees on all labor relations related matters.~~

~~(4) The senior assistant vice president of employee and labor relations shall assist the vice president for finance and administration and chief financial officer by performing those duties as may be assigned by the vice president for finance and administration and chief financial officer.~~

~~(K)~~(I) Director of student accounts/bursar

(1) The director of student accounts/bursar shall be appointed by the board upon the 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 finance and administration and chief financial officer.

(2) The director of student accounts/bursar oversees the update of published tuition and fee schedules and maintenance of system tables necessary to access the accurate student fees each semester.

(3) The director of student accounts/bursar is responsible for overseeing the process of providing accurate and timely student account information, collecting and processing payments for tuition and fees, and ensuring the timely deposit of university funds.

(4) The director of student accounts/bursar is responsible for offering payment plan options and the collection of delinquent accounts.

(5) The director of student accounts/bursar coordinates the distribution of the appropriate tax statement to students annually on tuition charges assessed that may be eligible for a tuition tax credit.

(6) The director of student accounts/bursar is responsible for the disbursement of financial aid and delivering refunds of excess payments.

- (7) The director of student accounts/bursar shall perform such other duties as may be assigned by the vice president for finance and administration and chief financial officer.

~~(L)~~(J) The university internal auditor shall report directly to the vice president for finance and administration and chief financial officer ("CFO") on administrative matters and the board of trustees through the audit committee of the board on functional matters as provided in rule 3359-11-07-02 of the Administrative Code.

~~(M)~~(K) 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.

Effective: ~~February 27, 2009~~

Certification: \_\_\_\_\_  
Ted A. Mallo  
Secretary  
Board of Trustees

Prom. under: 111.15

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