

Effective Date	9/7/2021
Policy Number	GOV-PR-104
Sponsor	President
Responsible Office	University Services
Next Review Date	9/7/2025

I. REASON FOR PROCEDURES

In the course of its operations, the University frequently undertakes contractual and other formal obligations with outside entities, including sponsored project and event agreements, commercial contracts for the purchase of goods or services, software licenses, gift agreements, and memoranda of understanding with other organizations. GOV-PL-104, Obligating the University policy establishes the approval authority for obligations to the university. These procedures formalize the process for campus community members to seek formal approval for related matters, specifically matters that obligate the University for a period greater than one year and/or \$10,000.

II. FACULTY/STAFF PROCEDURE

- 1. Opportunity Identified** - Faculty/Staff proposes an idea to their Chair, Supervisor or Director. The proposal will include rationale and start-up and ongoing costs for implementation.
- 2. Supervisory Approval** - The Chair, Supervisor, Director, or Dean at each level in the chain of command review the proposal for soundness, sustainability, alignment with departmental goals and divisional strategic plan and makes appropriate recommendation to the divisional Vice President.
- 3. Divisional Approval** - The Vice President reviews the proposal for soundness, appropriate alignment with divisional goals and strategic plan, verifies availability of funding for the proposal, ensures alignment with budget goals, policies, legal requirements and makes recommendation to the Cabinet or President. By making a recommendation for approval, the Vice President is certifying that she/he has reviewed all issues associated with the proposal including financial sustainability, diversity, equity and inclusion goals, and will be accountable for the implementation of the obligation, if approved.
- 4. Presidential Approval** - The President reviews the recommendation from the Vice President and determines the course of action for the proposal. This may include seeking input from Cabinet and requesting input from other stakeholders. The President must approve the proposal in writing for there to be any obligation on the part of the University and for the proposed matter to be implemented. No obligation is legitimate and authorized without the approval of the President.

5. **Promulgation** - University Services may be needed to review contractual, procurement and/or legal requirements of the proposal. University Services may also be included to facilitate formal language for a contract or Memorandum of Understanding. The Fredonia Trademarks and Licensing Committee may also be involved in obligations that involve the use of the University trademarks in promotional materials and advertisements. Divisional stakeholders will announce, implement and act on the approved obligation.

III. STUDENT PROCEDURE

1. **Opportunity Identified** – A student or club proposes an by submitting it to the Student Association. The proposal will include rationale and start-up and ongoing costs for implementation.
2. **Student Association Approval** - The Student Association reviews the proposal for soundness and availability of resources to support it. They make appropriate recommendation to the Vice President for Enrollment Services.
3. **Vice President for Enrollment Services Approval** - The Vice President for Enrollment Services reviews the recommendation for soundness and alignment with university policies and values and then makes the appropriate recommendation to the Cabinet.
4. **Cabinet Approval** - The Cabinet reviews the proposal for soundness, appropriateness, alignment with University values, and strategic plan. The Cabinet verifies the availability of funding and ensures alignment with budget goals, policies and legal requirements. The Cabinet will deliberate, and reach a consensus and make a recommendation to the President.
5. **Presidential Approval** - The President decides on the proposal from the Cabinet. The President must approve the proposal in writing for there to be any obligation on the part of the University and for the proposed matter to be implemented. No obligation is legitimate and authorized without the approval of the President.
6. **Promulgation** - University Services may be needed to review contractual, procurement and/or legal requirements of the proposal. University Services may also be included to facilities formal language for a contract or Memorandum of Understanding. The Student Association and the Vice President of Enrollment Services will announce, implement and act on the approved obligation.

IV. RELATED DOCUMENTS, FORMS AND TOOLS

[GOV-PL-104 – Policy on Obligating the University](#)
[NYS Office of the State Comptroller Contract Advisory 23](#)
[NYS Office of the State Comptroller AC1782 Signature Form](#)
[SUNY 7553 Purchasing and Contracting](#)
[SUNY 7558 Procurement Card Policy and Guidelines](#)
[Public Officers Law §74](#)

V. DEFINITIONS

TERM	DEFINITION
Matter	An idea, activity, agreement or any obligation that must be formally approved by the university.
MOU	A memorandum of understanding (MOU or MoU) is a formal agreement between two or more parties.
Obligation	Obligation is the moral or legal duty to perform or not perform an act. It requires an individual to perform, as well as the potential penalties for the failure to perform. An obligation is also a duty to do what is imposed by a contract, promise, or law.
University Officials	University Officials are employees who are formally authorized by New York State to legally act on behalf of the University.

VI. CONTACT & ENFORCEMENT

ROLE	CONTACT	PHONE	EMAIL - Website
Responsible Office	University Services	(716) 673-3257	contracts@fredonia.edu
Enforcement	Human Resources VP Enrollment Services	(716) 673-3434 (716) 673-3271	human.resources@fredonia.edu ess@fredonia.edu
Policy	University Policy Office	(716) 673-4828	policy@fredonia.edu policy.fredonia.edu