



Note: Green underlined text is proposed new language; red stricken text denotes language to be deleted.

# PA State System of Higher Education Board of Governors

Effective: October 17, 1991

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## Policy 1991-05-A: ~~Delegation of Authority for Leasing State System Real Property as Lessor and Granting Easements~~ ~~or Licenses for Use of State System Real Property~~

**See Also:** Commonwealth Procurement Code;  
~~PASSHE~~State System's Facilities Manual and  
~~PASSHE~~State System's Procurement Manual

**Adopted:** October 17, 1991  
**Amended:** April 10, 2014,  
April XX, 2018

### A. Purpose

This policy assigns ~~authority~~ authorities ~~for related to~~ leasing, acquisition, and disposal of as lessor, granting easements, or granting licenses for use of State System real property interests.

### B. Definitions

**Easement**—Allows the limited use of real property by written agreement; the term may be permanent.

**License**—Allows the limited use of real property by written agreement for a specified period of time.

**Real Property**—As used in the context of this policy, includes only the real estate (land), and fixed improvements made thereon, including all buildings and structures, infrastructures, and utility systems.

### C. Policy

~~On behalf of the Board of Governors, the chancellor shall authorize State System universities to lease real property of the State System as lessor, including granting easements and licenses, i~~n accordance with 24 P.S. §20-2003-A and A.1, and amendments thereto, when such actions are required and determined to be in the best interest of the State System, the Board of Governors delegates the following authority:

1. University presidents or designees are authorized to lease real property of the State System as lessor or lessee.
2. Universities are authorized to enter into and grant easements and licenses within the authority allowable in 24 P.S. §20-2003-A.1 and 71 P.S. §194, as

applicable. The Board will be informed of any easement actions requiring legislative authorization.

3. Universities may acquire (purchase) real property, costing up to \$1 million, with review and approval of the chancellor. Acquisitions valued greater than \$1 million may be made with the approval of the Board.
4. Universities may demolish university- and System-owned buildings on campus with the review and approval of the chancellor or designee. Demolition of buildings titled in the name of the Commonwealth requires approval by the Department of General Services with endorsement by the chancellor or designee.
5. Disposal (sale) of university- or System-titled real property requires approval of the general assembly in accordance with 24 P.S. §20-2018-A. Disposal of Commonwealth-titled property shall be accomplished following procedures established by the Department of General Services, with endorsement by the chancellor or designee.

For all transactions above, universities and the Office of the Chancellor will follow all applicable statutes and regulations as well as all applicable procedures identified in the ~~PASSHE State System's Facilities Manual, PASSHE's Procurement Manual, and the Commonwealth Procurement Code will be followed as applicable.~~ This policy does not direct or alter the authority of other state agencies.