

REGULATIONS
of
THE BOARD OF
TRUSTEES
of
THE MIAMI UNIVERSITY

Revised June 2015

PREAMBLE

Miami University enjoys an invaluable heritage of high scholastic standards and a reputation for the development of the whole person as a contributing member of society. To maintain these assets, an environment must be provided where individuals are not exempt from the consequences of their own actions or inactions, but where at the same time maximum freedom of scholastic inquiry and action is assured.

In developing Regulations for Miami University, the Board of Trustees has kept in mind its dual responsibility to represent the citizens of the State of Ohio and to promote the best interest of the academic community.

While the Board of Trustees, in keeping with its responsibilities, reserves the right of final approval, it will seek the viewpoints of all interested parties in the exercise of this right.

Miami University Values Statement

Miami University is a scholarly community whose members believe that a liberal education is grounded in qualities of character as well as of intellect. We respect the dignity of other persons, the rights and property of others, and the right of others to hold and express disparate beliefs. We believe in honesty, integrity, and the importance of moral conduct. We defend the freedom of inquiry that is the heart of learning and combine that freedom with the exercise of judgment and the acceptance of personal responsibility.

Adopted by the Miami University Board of Trustees on February 8, 2002.

Regulations of the Board of Trustees of the Miami University

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ARTICLE I: MEMBERS OF THE BOARD OF TRUSTEES, THEIR POWERS, AND NATIONAL TRUSTEES

Section 1. Number of Members; Appointments; Vacancies.

The Board of Trustees of Miami University shall, as provided by Section 3339.01 of the Ohio Revised Code, consist of nine voting members and two students who shall be non-voting members, all of whom shall be appointed by the Governor with the advice and consent of the Senate. The term of office of the nine voting members shall be nine years as set forth in Section 3339.01 of the Ohio Revised Code. The term of office of the non-voting student members shall be two years, with the seats being vacated on alternating years.

As specified in §3339.01 Ohio Revised Code, a member shall continue in office subsequent to the expiration date of his/her term until a successor is appointed or until a period of sixty (60) days has elapsed, whichever occurs first.

The nomination process of candidates for the non-voting student seats on the Board of Trustees, which shall be interpreted to include the necessity to fill a seat which becomes vacant prior to the expiration of the non-voting member's term, shall be in accordance with "Article V, Section 5, Elections, Nominations, and Qualifications of the Bylaws of the Associated Student Government of Miami University."

The non-voting student members shall not be entitled to attend executive sessions of the Board.

Section 2. Powers.

The Board of Trustees shall have the powers which are conferred upon it by the laws of the State of Ohio. The Board shall take all actions necessary for the successful and continuous operation of the

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University, and shall adopt, and from time to time amend, the Regulations for the conduct of the Board, and the government and conduct of the University.

The Board shall formulate University policy. Under its general supervision it shall assign the execution of these policies to the President and his/her designates as provided in these Regulations. No member or committee of the Board shall have the authority to commit the Board or University to any policy or action unless expressly given that power in writing by the Board.

Section 3.

National Trustees.

To take advantage of the talents, resources, and experiences of Miami University alumni who do not live in the state of Ohio, the Miami University Board of Trustees establishes the position of National Trustee.

National Trustees will be non-compensated advisors to the Board of Trustees, and will have no voting privileges at Board of Trustees meetings. National Trustees are not eligible to become officers of the Board, but will otherwise participate in all Board activities, including committee membership. National Trustees will have voting privileges on committees and may serve as committee chairs.

National Trustees will be selected and removed by the Miami Board of Trustees. Following appointment by the Board, the Secretary to the Board of Trustees will prepare a formal letter of appointment and will update the Ohio Secretary of State's roster of Officers.

Travel expenses for National Trustees will be reimbursed consistent with the policy for voting members of the Board of Trustees.

A maximum of six National Trustee positions are authorized, each serving a three-year term. National Trustees are eligible for appointment to two consecutive terms (six years).

National Trustees will be chosen on the basis of the following attributes: Miami alumna/alumnus; successful in chosen field or

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business; state or national prominence; ability to be an advocate for higher education; and willingness and ability to offer counsel.

ARTICLE II: MEETINGS AND ORGANIZATION OF THE BOARD OF TRUSTEES

Section 1. Regular Meetings.

The Board shall hold at least four regular meetings each year on dates, at times, and at places established by the Chair of the Board, including an annual meeting in Oxford, Ohio.

Section 2. Special Meetings.

A special meeting of the Board shall be held upon call of the Chair of the Board who shall fix the date, time, and place of the meeting. Further, upon written petition of not less than five (5) voting members of the Board, the Chair of the Board shall call a special meeting of the Board at the date, time, and place set forth in the petition.

Section 3. Emergency Meeting.

In the event of an emergency requiring immediate official action, the Chair may call an emergency meeting. Notice of an emergency meeting must be given to all news media outlets that have requested such notification.

Section 4. Notice of Meetings.

Written notice of regular meetings of the Board shall be communicated to each member of the Board by the Secretary to the Board at least seven (7) days prior to the date of the meeting.

The Secretary to the Board of Trustees shall post on the Miami University Board of Trustees website the date, time and location of regular meetings as announced by the Chair of the Board.

Any person desiring notification of regularly scheduled meetings of the Board of Trustees for the year beginning January and ending in December may receive same by depositing with the Secretary to the Board, Miami University, Oxford, Ohio 45056, a sufficient number of self-addressed stamped envelopes in which to mail such notification.

In the event of any change in the calendar of regularly scheduled meetings of the Board of Trustees during the year commencing in

ARTICLE II: MEETINGS AND ORGANIZATION OF THE BOARD OF TRUSTEES

January and ending in December, the Secretary to the Board shall communicate the change not later than thirty (30) days preceding the first meeting conducted under such revised schedule.

Notice of special meetings shall be communicated to each member of the Board by the Secretary to the Board, with written confirmation to follow, at least ninety-six (96) hours prior to the meeting.

The Secretary to the Board of Trustees, upon receipt of notice from the Chair of the Board of Trustees or the President of the University of the scheduling of a special meeting of the Board of Trustees, but in no event later than ninety-six (96) hours prior to the commencement of the meeting, shall notify representatives of the public media and all other persons who have so requested of the date, time, place, and stated purpose of the meeting, using self-addressed, stamped envelopes provided by the aforementioned other persons. In the event of an emergency situation where ninety-six (96) hour notification is not possible, the Secretary to the Board shall notify such media representatives by the most appropriate electronic medium to the location specified by such media representatives and shall record the fact of such notice in the minutes of the meeting.

Persons desiring notice of any regular or special meetings of the Board of Trustees at which specific subject matters designated by the person desiring notice are included in the agenda of the meeting may request such notice in writing to the Secretary to the Board, Miami University, Oxford, Ohio 45056 including with the request a sufficient supply of self-addressed, stamped envelopes for mailing the notice.

Each notice of a special meeting shall be accompanied by an agenda stating the business to be considered at the meeting. At special meetings no business shall be transacted except that stated in the agenda.

Section 5.

Quorum.

A majority of the voting members of the Board, when duly convened, shall constitute a quorum. (Ohio Revised Code, Section 3339.01). A

ARTICLE II: MEETINGS AND ORGANIZATION OF THE BOARD OF TRUSTEES

majority of the voting members of the Board must be present at a duly convened meeting to vote on resolutions or ordinances.

Section 6. Parliamentary Authority.

Robert's Rules of Order, Newly Revised (most recent edition), shall be accepted as authority on all questions of parliamentary procedure not determined by these Regulations or provisions of the Revised Code of the State of Ohio.

Section 7. Election of Officers.

At the annual meeting in December of each year, the Board shall elect from voting members of the Board the following officers: a Chair, a Vice Chair, a Secretary of the Board, and a Treasurer of the Board. These officers shall hold their respective office from January 1 through December 31 of the year succeeding their election and until their respective successors shall be elected, so long as they shall continue to be trustees.

Section 8. Duties of Officers.

The Chair shall preside at all meetings and appoint committees. The Chair may serve on all committees, except the nominating committee.

The Vice Chair shall serve in the absence of the Chair and shall assist the Chair at the latter's request.

The Secretary of the Board shall maintain such records as the Board requires.

The Treasurer of the Board shall maintain such financial records as the Board requires.

Section 9. Vacancy in Office.

In the event of a vacancy in the office of Chair, the Vice Chair shall become Chair.

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In the event of a vacancy in the office of Vice Chair, Secretary of the Board, or Treasurer of the Board, the vacancy shall be filled by election at the next regular or special meeting of the Board.

Section 10. Duties of the Secretary to the Board.

The Secretary to the Board of Trustees shall be nominated by the President and appointed by the Board to serve until a successor is chosen and enters upon the duties of the Secretary's office. He/she shall be selected from outside the membership of the Board.

The Secretary to the Board shall attend meetings of the Board as appropriate, record all votes and the minutes of all proceedings; shall perform like duties for the committees of the Board, as requested or assigned; shall give notice of all meetings of the Board and of its committees; and shall perform such other duties as may be prescribed by the Board or the Chair.

Section 11. Committees.

Standing and special committees shall be appointed by the Chair of the Board of Trustees. Each committee shall report its recommendations for action to the Board of Trustees.

Section 12. Committee for Naming of Campus Facilities.

The Committee for Naming of Campus Facilities is established as an advisory committee to the Board and Vice President for University Advancement, who shall serve as Chair of the Committee. The Chair of the Board shall appoint the members of the Committee as provided in Board Resolution R2001-31, as the same may from time to time hereafter be amended by the Board. Recommendations for the naming of campus facilities shall be in accordance with R2001-31 (and as it may be hereafter amended, including Resolutions R2004-12 and R2011-60). The Board of Trustees has sole authority to approve the name of campus facilities.

ARTICLE II: MEETINGS AND ORGANIZATION OF THE BOARD OF TRUSTEES

Section 13. Finance and Audit Committee.

The Finance and Audit Committee serves in an oversight capacity for financial and administrative operations of the University as delegated by the Board of Trustees in the Finance and Audit Committee Charter as approved by the Board. Specifically, the Finance and Audit Committee provides oversight responsibilities for the University's long-term financial plans; the University's financial reporting, internal controls and the independent audit; the general University budget; capital expenditures for facilities and property; investment policies and results; internal audit activities; processes for monitoring compliance with University policies and state and federal laws; and the University's risk assessment process. It is the responsibility of the Finance and Audit Committee to review and recommend to the full Board of Trustees ordinances, resolutions, and other related items proposed by the administrative staff. The Committee serves as the Investment Committee required by Ohio Revised Code Section 3345.05.

The Chair of the Board shall appoint the members of the Finance and Audit Committee

Section 14. Academic and Student Affairs Committee.

The Academic and Student Affairs Committee serves in an oversight capacity and shall consider and make recommendations to the Board on academic, student affairs, and enrollment management and student success initiatives and plans of the University. Specifically, the Academic and Student Affairs Committee provides oversight responsibilities for the University's long-term academic plans; the University's strategic enrollment plans; the University's retention and graduation rate plans and goals; the University's research activities; the University's role in the University System of Ohio; student life; and campus safety and student life risk management.

The Chair of the Board shall appoint the members of the Academic and Student Affairs Committee. The principal liaisons to the Academic and Student Affairs Committee are the Provost and Executive Vice President for Academic Affairs, the Vice President for

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Student Affairs, and the Vice President for Enrollment Management and Student Success. Additional staff members will be called upon as needed for specific reports to the Committee.

Section 15. Foundation Board.

The Chair of the Board of Trustees or a member of the Board of Trustees appointed by the Chair, and a second Trustee appointed by the Board of Trustees shall serve as appointed Directors to the Miami University Foundation Board of Directors.

Amendments to the Articles of the Foundation Code of Regulations which provide for the selection of Directors and defining Members require approval and consent of the Board of Trustees given by the affirmative vote of 2/3 of all voting Trustees.

Section 16. Minutes.

Minutes of each meeting of the Board shall be distributed to the members of the Board within thirty (30) days after the meeting. All minutes shall be signed by the Secretary to the Board.

Section 17. Reimbursement for Expenses.

All trustees shall be entitled to reimbursement for travel expenses incurred in attending meetings of a committee or of the Board, and reimbursement of expenses incurred in attending meetings as a representative of the Board, in accordance with law.

ARTICLE III: EDUCATIONAL PROGRAM OF THE UNIVERSITY

- Section 1.** Miami University shall consist of the following major academic divisions: College of Arts and Science, College of Education, Health and Society, Farmer School of Business, College of Creative Arts, College of Engineering and Computing, Graduate School, College of Professional Studies and Applied Sciences, and such other divisions as the Board may from time to time determine.
- Section 2.** The provision of major fields of study and the determination of the degrees appropriate thereto shall be approved by the Board.
- Section 3.** The content of the educational program shall be determined by the University Senate (subject to the right of initiative and referendum of the Faculty Assembly) and approved by the President.
- Section 4.** Each of the major academic divisions of the University shall be headed by an Academic Dean to be appointed by the President, in consultation with the Provost, and with the affirmation of the Board. Each Academic Dean shall be responsible for general educational supervision of the departments, faculty, and curricula in the college or school of which he or she is Dean.
- Section 5.** The instructional staff shall be divided into academic departments. An academic department is an administrative unit established to combine the various course offerings of a particular academic discipline or area of knowledge. The number and designation of such departments shall be determined by the President, subject to approval by the Board.

ARTICLE IV: ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

Section 1. The principal administrative officers of the University shall consist of the President, Provost and Executive Vice President for Academic Affairs, Vice President for Finance and Business Services and Treasurer, Vice President for Student Affairs, Vice President for University Advancement, Vice President for Information Technology, Vice President for Enrollment Management and Student Success, General Counsel and Secretary to the Board.

Section 2. **President.**

The President of Miami University shall be appointed by the Board of Trustees and shall be the chief administrative officer of the University responsible for the operation of the University as a whole. The President has authority to sign on behalf of the University all necessary documents and papers pertaining to the operating needs of the University. The President has authority to delegate signature authorization to other appropriate administrative personnel of the University for all necessary contracts, documents and papers pertaining to the operating needs of the University, provided that such designation of authority is in writing and on file in the Office of the Secretary to the Board of Trustees (Resolution of the Board of Trustees R86-42).

The Board shall have sole responsibility for determining the size, composition and selection procedures of any presidential search advisory committee.

Section 3. **Provost and Executive Vice President for Academic Affairs.**

The Provost and Executive Vice President for Academic Affairs of Miami University shall be appointed by the President and elected by the Board of Trustees. The Provost shall be the chief educational officer of the University under the President responsible for general supervision of instructional programs. In the absence of the President, the Provost and Executive Vice President for Academic Affairs shall be the chief administrative officer of the University.

Section 4. **Vice President for Finance and Business Services and Treasurer.**

The Vice President for Finance and Business Services and Treasurer shall be appointed by the President and elected by the Board of

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Trustees. He/she is the chief business and financial officer of the University under the President responsible for the (1) business affairs of the University including general direction and supervision over new construction, the maintenance and operation of the physical plant, the procurement and distribution of supplies, the management of residence halls and dining facilities, the operation of other auxiliary services, the administration of non-academic personnel serving in civil service classifications, and the security of University property and (2) financial affairs of the University including the collection of all accounts due, the custody of funds, the disbursements of accounts payable, the preparation of vouchers payable by the State of Ohio, the control of financial records, the rendering of proper financial reports, the provision of bookkeeping and auditing service to student organizations, and all necessary liaison with State financial officers.

Section 5. Vice President for Student Affairs.

The Vice President for Student Affairs shall be appointed by the President and elected by the Board of Trustees and shall have the responsibility for student services, including the administration of student conduct rules and regulations.

Section 6. Vice President for University Advancement.

The Vice President for University Advancement shall be appointed by the President and elected by the Board of Trustees and shall be responsible for fund raising and administration of development programs and alumni and parent programs.

Section 7. Vice President for Information Technology

The Vice President for Information Technology shall be appointed by the President and elected by the Board of Trustees and shall be responsible for the development, implementation, and administration of the University's information technology infrastructure and computing systems.

Section 8. Vice President for Enrollment Management and Student Success.

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The Vice President for Enrollment Management and Student Success shall be appointed by the President and elected by the Board of Trustees and shall be responsible for enrollment management, including admission, financial aid, the bursar, and the registrar, as well as responsibility for coordination of retention and student success initiatives

Section 9. General Counsel.

Miami University's General Counsel shall be an administrative officer appointed by the Board of Trustees upon nomination of the President. The General Counsel shall be responsible for the coordination and supervision of all legal matters involving Miami University and the Board of Trustees, and officers and employees acting on behalf of the University or its affiliated entities.

Section 10. Secretary to the Board.

The Secretary to the Board shall be an administrative officer appointed by the Board of Trustees upon nomination of the President. The Secretary shall prepare and keep the records of the Board and shall be responsible for the safekeeping of the seal and other official insignia of the University. As custodian of the University seal, the Secretary shall affix it to such instruments as require its use and when so done shall attest it by his or her signature. This officer shall sign all documents requiring the signature of the Secretary as an officer of the corporation. The Secretary shall have custody of the charter of the University and of the minute books and papers relating to the records of the Board. The Secretary shall perform other duties and responsibilities not specifically assigned to another officer by these regulations as the Board or the President may direct.

Section 11. The President, the Vice Presidents, General Counsel and the Secretary to the Board are the principal administrative officers of the University; the Secretary to the Board shall also serve as Secretary of the corporation. The President shall have the power to appoint additional principal administrative officers, subject to approval by the Board of Trustees.

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Section 12. Power of President to Designate Committees.

The President shall have authority to appoint advisory committees to advise him/her on affairs relating to the University. These committees shall have such responsibilities as are assigned to them by the President. Committees appointed by the President may be discharged by him/her at any time.

Section 13. Power of Principal Administrative Officers to Appoint Committees.

Subject to the direction of the President, each principal administrative officer shall have the authority to appoint advisory committees (whether called councils, boards, commissions, or committees) to advise that officer in affairs relating to his or her responsibilities at the University. These committees shall have such responsibilities as are assigned to them by the principal administrative officer. Committees appointed by a principal administrative officer may be discharged by that officer at any time.

Section 14. Signature Authority.

- A. No contract, agreement, promise, bank account, or other financial undertaking in the name of Miami University or purporting to be made for, or on behalf of any campus, college, school, department, division or other part of the University may be made by any of its officers, agents, or employees or by any student, faculty, or alumni organization, enterprise, or association whatever, unless the same shall have been first authorized by the Board of Trustees of the University or in pursuance of authority conferred by these Regulations.
- B. Whenever the Board of Trustees has authorized or ratified the making of any contract or the execution of a written instrument of any kind, the President, the Provost and Executive Vice President for Academic Affairs and the Vice President for Finance and Business Services shall, without additional authorization by the Board, each be authorized to execute and

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deliver such documents as may be necessary or proper for the performance of the University's obligations thereunder.

- C. **Real Property** – Contracts involving the purchase or sale of real estate must be approved by the Board of Trustees, regardless of the amount. This provision does not include the release of interests by the University for the purchase of land rents as provided in Ohio Revised Code 3339.03. The President and Secretary to the Board are authorized to execute transfers of real property to release land rent interests and as otherwise authorized by the Board. The Vice President for Finance and Business Services and the General Counsel shall serve as alternates for the President and Secretary to the Board. The Vice President for Finance and Business Services is also authorized to enter into leases of University real property or leases of real property for the benefit of the University.
- D. **Capital Improvements** – The Board of Trustees retains sole authority with respect to contracts for capital improvement projects (repair, maintenance, renovation or new construction) unless otherwise specifically delegated by Board Resolution or as follows:

Capital improvement projects are defined as any initiatives undertaken on behalf of the University that improve the physical environment. Projects covered under this policy include, but are not limited to, activities that involve design, repair, maintenance, construction, reconstruction, renovation, demolition, landscaping, roads and grounds improvements/maintenance, building and systems repairs/replacement, client-specific projects, major emergency responses and any capital improvement project. This excludes items which would appropriately be directed through the procurement process and subject to the University's procurement policies and guidelines. All such projects shall adhere to all applicable laws and regulations.

The Vice President for Finance and Business Services shall have the responsibility and authority for contracting for any capital improvement project of any kind (repair, maintenance,

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renovation, or new construction) estimated to cost \$2.5 million or less. The Vice President for Finance and Business Services shall report regularly to the Finance and Audit Committee on the status of each capital improvement project of \$1 million or more.

Any capital improvement project estimated to cost more than \$2.5 million shall require specific authorization by the Board of Trustees. Once a project of more than \$2.5 million has been approved by the Board, the University shall not increase the project costs (including costs for design, construction, construction management, or other services) presented to the Board at the time of authorization without specific Board approval except as follows:

1. For projects more than \$2.5 million but less than \$10 million, the Vice President for Finance and Business Services shall have the authority to increase individual contracts, approve change orders or the total project budget as long as the increases do not exceed 10% of the original total projected budget or \$500,000, whichever is less, and an appropriate report is made to the Board's Audit and Finance Committee at its next regularly scheduled meeting.
2. For projects over \$10 million, the Vice President for Finance and Business Services shall have the authority to increase individual contracts, approve change orders or the total project budget as long as the increases do not exceed 10% of the original total project budget or \$1 million, whichever is less, and an appropriate report is made to the Board's Finance and Audit Committee at its next regularly scheduled meeting.
3. For any energy-saving project estimated to cost less than \$4,000,000 issued in accordance with all applicable laws and regulations, the Vice President for Finance and Business Services shall have the requisite authority to enter into such contracts on behalf of the University. This approval constitutes complete authorization for the project including site selection, design, construction,

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financing and any services needed, except as specifically noted in the authorization resolution.

- E. **Purchase of Goods and Services** – The President, the Provost and the Vice President for Finance and Business Services are authorized to sign all contracts, purchase orders, documents and papers that require the expenditure of funds by the University or are necessary for the good and efficient operation of the University. The Vice Presidents, Dean, Directors, Chairs and other heads of offices are authorized to purchase goods and services through such purchasing policies and procurement procedures as may be authorized by the Vice President for Finance and Business Services.

- F. **Employment** – The Board authorizes the President and the Provost, within the budgetary resources of the University, to employ and set compensation for members of the faculty and unclassified administrative staff.

The Board designates the President and the Vice President for Finance and Business Services as the appointing authority to employ and set compensation for members of the unclassified administrative staff, classified staff and law enforcement officers.

- G. **Securities** – The Board authorizes any of the following officers of the University to buy, sell, assign, transfer and convey any and all securities of any company, corporation or association, now or hereafter registered in the name of or belonging to the President and Trustees of the Miami University, or standing in the name or belonging to the University in any capacity: the Chair of the Board of Trustees of the University, the Treasurer of the Board of Trustees of the University, the President of the University, the Vice President for Finance and Business Services and Treasurer of the University, the Associate Treasurer of the University, the General Counsel of the University, or the Secretary to the Board of Trustees of the University.

- H. **Delegation** – The President, the Provost and the Vice President for Finance and Business Services may delegate some or all of the authority conferred under this Article to other officers or employees of the University. All delegations of authority whether by the President, the Provost, or the Vice President for Finance and Business Services

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shall be in writing, shall identify the delegate by title and/or position of employment, shall describe the scope of the authority provided by the delegation, shall bear the signature of the President, Provost or Vice President for Finance and Business Services, and shall expire on the earlier of: (a) the date of expiration contained in the written delegation, (b) the date the delegate ceases to serve in the position to which authority has been delegated; or (d) written notice of revocation of the delegation signed by the President, Provost, or Vice President for Finance and Business Services. No person receiving a delegation may further assign or delegate to any other person all or any part of the delegated authority. All such delegations shall be filed with the Secretary to the Board of Trustees and the Office of General Counsel.

ARTICLE V: EMPLOYMENT

Section 1. The policies that govern the employment, discipline, termination, tenure and promotion of the instructional staff and employment, discipline and termination of the unclassified administrative staff are subject to approval by the President. These policies are enumerated in the Miami University Policy and Information Manual.

Section 2. Tenure is a method of assuring academic freedom; that is, the freedom to teach, to inquire, to create, to debate, to question, and to dissent. Tenure represents a long-term financial commitment to the extent allowable under the laws of the State of Ohio. Miami has no specified or implied limits on the percentage of the instructional staff who may be granted tenure. Each candidate for tenure is judged individually, not relative to other candidates. If an individual demonstrates the high quality of professional performance expected by Miami, tenure will be conferred, regardless of how many other candidates may be considered in a given year. However it is not anticipated that all individuals appointed to tenurable ranks will be able to demonstrate the high quality of professional performance required to achieve tenured status.

ARTICLE VI: STUDENTS

- Section 1.** General policies on the admission of students to the University shall be fixed from time to time by the Board upon recommendation of the President, or the University Senate with the approval of the President.
- Section 2.** Good conduct and deportment is expected of every student at all times. Regulations governing student conduct may be recommended from time to time by the University Senate or the Student Affairs Council; such recommendations shall be subject to approval by the President.
- Section 3.** Violation of rules and regulations governing student conduct will subject the student to appropriate disciplinary action including suspension or dismissal from the University.
- Section 4.** The University shall operate primarily as a residential institution where student social life shall be carried on as an integral part of the educational program of the University.

ARTICLE VII: THE UNIVERSITY SENATE

Section 1.

The University Senate is the primary university governance body where students, faculty, staff and administrators debate university issues and reach conclusions on the policies and actions to be taken by the institution. The University Senate is the legislative body of the University in matters involving educational programs, requirements, and standards; faculty welfare; and student conduct. The Board of Trustees delegates to University Senate primary responsibility for curriculum, programs, and course offerings and advisory responsibility on all matters related to Miami University.

The Board of Trustees reserves the right to consider, approve, modify, or reject actions taken by the University Senate. Amendments to the Enabling Act of University Senate and Faculty Assembly must be approved by the Board of Trustees.

ARTICLE VIII: THE FACULTY ASSEMBLY

Section 1. The Faculty Assembly is chaired by the President of the University who has responsibility for the preparation of the agenda for meetings.

Section 2. Faculty Assembly is comprised of all members of the faculty who hold tenure or a tenure track position; all librarians who hold the rank of Assistant Librarian, Associate Librarian, or Principal Librarian; and all members of the faculty who hold the rank of Lecturer (including Senior rank)* or Clinical/Professionally Licensed Faculty (including Senior rank)*.

*Lecturers and Clinical/Professionally Licensed Faculty are members of the Faculty Assembly for the purpose of qualifying them to serve on the University Senate. Membership in Faculty Assembly does not qualify Lecturers or Clinical/Professionally Licensed faculty to serve on committees whose membership is restricted to faculty in tenure-eligible ranks.

Section 3. Faculty Assembly hears reports from its committees and from the President, the Chair of Senate, and other Vice Presidents. It may propose, debate, and recommend matters for Senate consideration or for presentation to other officials or administrative bodies. It may also challenge and refer back any University Senate action. Faculty Assembly has the right of initiative and referendum. Such action shall be considered as tantamount to University Senate action.

The Faculty Assembly may raise questions and offer comments. It may discuss matters affecting Miami University and its environment.

The Board of Trustees reserves the right to consider, approve, modify, or reject actions of Faculty Assembly. Amendments to the Enabling Act of University Senate and Faculty Assembly must be approved by the Board of Trustees.

ARTICLE IX: THE STUDENT AFFAIRS COUNCIL

Section 1. Authority for the Council.

- A. The University Senate delegates its authority in the realm of student social conduct rules and regulations to the Student Affairs Council, a semi-autonomous governing body, which also has legislative authority in the general realm of non-academic student affairs. All actions of Student Affairs Council which have substantial academic content shall be reported to the Executive Committee of University Senate which shall place them on the agenda of the University Senate.
- B. All actions of Student Affairs Council shall be recorded in its minutes to be sent to the Executive Committee of University Senate which shall be alert to the possibility that some items may be of sufficient university-wide import to merit the attention of University Senate under its responsibility to provide recommendations on all matters related to Miami University.
- C. Actions of the Student Affairs Council which do not have substantial academic content are made directly to the President via the Vice President for Student Affairs and need not be acted upon by the University Senate, although the President may desire to consult with this or other groups in deciding to approve, modify, or reject actions taken by the Student Affairs Council.
- D. Matters to be considered by Student Affairs Council will originate from a number of sources, but it is expected that the Associated Student Government will be an important source of suggestions for action by Student Affairs Council.
- E. The chair shall be the Vice President for Student Affairs who shall serve as an ex officio member with the Executive Assistant to the Vice President for Student Affairs as secretary without vote.

ARTICLE X: MAINTENANCE OF LAW AND ORDER

Section 1. The Board of Trustees recognizes the constitutional guarantees of the right of free speech and peaceful assembly. The Board of Trustees also recognizes the principle of academic freedom which permits freedom of inquiry and discussion and the right to make constructive criticism. The Board of Trustees is equally cognizant of the necessity of maintaining justice, law, and order on the campuses of the University and preventing the disruption of the educational functions of the University.

Section 2. Pursuant to Section 3345.21 of the Ohio Revised Code, the Board of Trustees hereby declares that all persons, including University faculty, staff, students, and visitors are prohibited from engaging or participating in, or aiding and abetting any of the following actions on any campuses of Miami University:

- A. Obstruction or disruption of teaching, research, administration, disciplinary proceedings, or any other University activities, including its public safety or service functions;
- B. Threatening to or engaging in conduct or creating a condition that presents a risk of physical harm to the offender or another or to the property of another;
- C. Theft or damage to property of the University or any other person;
- D. Unauthorized entry to or unauthorized use of University facilities;
- E. Violation of University rules and policies including those regulations concerning the use of University facilities, or concerning the time, place, and manner of public expression;
- F. Violation of rules governing residence in University-owned or University-controlled property;
- G. Disorderly conduct;
- H. Use, offer for sale, sale, distribution, possession, or manufacture of any controlled substance or drug, except as expressly permitted by law;

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- I. Failure to comply with orders or directives of University officials or University police or any other law enforcement officers or emergency personnel acting in performance of their duties;
- J. Obstruction of the free flow of pedestrian or vehicular traffic; and
- K. Possession or use of firearms, explosives, dangerous weapons, or chemicals. A dangerous weapon is defined as any instrument, device, or object capable of inflicting physical harm or death and designed or specifically adapted for use as a weapon or possessed, carried or used as a weapon.

For the purposes of this section "aiding and abetting" shall be construed to mean the giving of aid or assistance to the principal in the planning or execution of any of the foregoing acts.

Section 3.

Any member of the faculty, staff member or student, who violates any of the foregoing prohibitions, is subject to University discipline. Disciplinary action may include discharge, suspension, or expulsion from the University. Such person may also be subject to criminal prosecution.

Visitors are subject to criminal prosecution. Any visitor who violates this policy may be immediately ejected from University property by Miami University Police.

Section 4.

The buildings, grounds, and other property of Miami University campuses are dedicated to the educational mission of the University. Use of the buildings, grounds, and other property of the University is reserved for the direct and indirect support of the teaching, research, and service missions; of the University's administrative functions; and of students' campus life activities. The University may prohibit or otherwise restrict access to or use of its buildings, grounds, and other property as may be necessary to provide for the orderly conduct of the University's teaching, research, and service missions; of the University's administrative functions and of students' campus life activities. Visitors are free to walk through our campuses; however, authorization is required from the University or from a recognized student organization to make speeches or presentations, to erect

ARTICLE X: MAINTENANCE OF LAW AND ORDER

displays, to engage in any commercial activity, or to conduct similar activities on University owned or controlled property.

Section 5.

The President, any Miami University police officer, or any university official authorized by them, may restrict or deny any person's access to the campus if the person engages in conduct prohibited by this policy. The Miami University police officer or other authorized University official restricting or denying access shall, if feasible, issue a trespass warning (orally or in writing) to the person. The police officer or University official issuing the trespass notice should advise the person that he/she is on University property and that permission to be on University property is revoked; and inform him/her that if he/she does not leave immediately or if he/she returns, he/she will be arrested and prosecuted for criminal trespass to the full extent of the law. A copy of the written trespass warning should be filed with the Miami University Police. An oral Trespass Warning should be documented in writing and filed with the Miami University Police.

ARTICLE XI: BUDGET AND FINANCIAL ADMINISTRATION

Section 1. The annual operating budget as adopted by the Board of Trustees, and as amended from time to time, shall govern all financial transactions of the University. This budget shall be presented in such form as the President may determine or as required by law.

The Vice President for Finance and Business Services and Treasurer, with the approval of the President, may make such adjustments as are necessary in the operating budget within the limits of available funds or within the limits of additional income received for a specific purpose.

Section 2. In accordance with University policy, as approved by the President, the University may accept gifts.

Section 3. The preparation and presentation of requests for appropriations from the State of Ohio and all official financial dealings on behalf of the University with all federal, state, and local government offices, boards, and agencies shall be under the direction of the President of the University. Appearances in the name of the University before federal, state, or local government offices, boards, and agencies shall have prior written authorization from the President.

Section 4. All instructional tuition and miscellaneous fees collected by the University from students shall be fixed by the Board. The President or such persons as the President may designate may determine appropriate charges to be made to groups using the facilities of the University or receiving other auxiliary services.

Section 5. The Treasurer of the University shall establish such accounts as may be necessary to carry on the operation of the University. He/she shall designate depositories for the custody of funds of the University with the approval of the Board. Investment of funds may be made if authorized by the Board.

Section 6. There shall be an annual audit of all funds not examined by the Auditor of the State of Ohio. This audit shall be arranged by the Treasurer of the University subject to the approval of the Board of Trustees.

ARTICLE XII: BUILDINGS

Section 1. All buildings shall be carefully maintained in as good state of operation as possible from the funds authorized for this purpose.

Section 2. The use of buildings and other facilities by groups not directly connected with the University shall be authorized only in accordance with policies approved by the President.

ARTICLE XIII: INTERCOLLEGIATE ATHLETICS

Section 1. The University shall engage in intercollegiate competition in such sports as are approved by the President and the Board of Trustees with the advice of the Committee on Athletic Policy, a committee advisory to the President and the Director of Intercollegiate Athletics, and the University Senate.

Section 2. Standards of academic eligibility to participate in intercollegiate athletics shall be determined by the Committee on Athletic Policy and the University Senate, in accordance with National Collegiate Athletic Association, Mid-American Conference and National Collegiate Hockey Conference Regulations.

Section 3. **ATHLETIC POLICY COMMITTEE** -- advisory to the President and the Athletic Director.

- A. The Committee shall be composed of six faculty or staff members, one of whom shall be a member of Senate, and three students. Two of the student members, one female and one male, shall be selected from the Miami University intercollegiate athletic teams. Two female and two male nominees will be selected by the Director of Intercollegiate Athletics and forwarded to Associated Student Government, which will inform the Executive Committee of University Senate of its two choices. The third student member shall be chosen by Associated Student Government from students who have no involvement in intercollegiate athletics. Three of the faculty or staff members shall be nominated by the Executive Committee from a list of six or more names submitted by the President; the other three faculty or staff members are approved as provided in the Bylaws of University Senate. The Director of Intercollegiate Athletics and the Faculty Representative to the Mid-American Conference from Miami University (chosen by the President) shall serve as *ex officio*, non-voting members of the Committee.
- B. The functions of the Athletic Policy Committee are to represent University Senate and to advise the President and Director of Intercollegiate Athletics about matters affecting the academic and athletic integrity of Intercollegiate Athletics, including but not limited to matters affecting student-athlete welfare. The Committee shall advise the Director of Intercollegiate Athletics generally on policies for student athletes including standards of academic eligibility, student support and health, academic

ARTICLE XIII: INTERCOLLEGIATE ATHLETICS

integrity and progress, equity, including Title IX, and NCAA, MAC, and NCHC issues. The Committee is charged with the responsibility to track the academic progress of current athletes, to analyze that academic data and to make recommendations to the Director of Intercollegiate Athletics on related policy. The Committee shall advise the President and University Senate on the sports in which Miami will participate. The Chair of the Athletic Policy Committee shall be kept informed of the search processes for head coaches and the Director of Intercollegiate Athletics. The Committee is involved in the NCAA recertification process.

ARTICLE XIV: HONORARY DEGREES

Section 1. Authority to Grant Honorary Degrees.

The authority to grant honorary degrees from Miami University resides solely with the Board of Trustees. The Board grants to the President of the University the discretionary authority to confer an honorary degree upon the speakers at any Commencement and the Charter Day convocation.

Section 2. Annual Commencement Exercises and Honorary Degree Procedures

The following procedures, except in unusual circumstances, will be followed in nominating and electing candidates to receive honorary degrees at commencements or the "Charter Day" convocation:

- A. The Awards and Recognition Committee, which is advisory to the President and the Provost and Executive Vice President for Academic Affairs, shall be composed of six (6) tenured faculty members, at least one of whom shall be a member of the University Senate; one (1) member who is a past recipient of the Benjamin Harrison Medallion, or University Distinguished Professor Award, or Distinguished Service Award. As part of its responsibilities the Committee shall serve as the screening and nominating Committee for honorary degrees. The Secretary of University Senate or his or her designee shall serve as Committee secretary without vote. Nominations for honorary degrees shall be solicited from the entire University community.
- B. Candidates may be nominated from the following categories:
 1. Alumni who have made substantial contributions of one kind or another to the University.
 2. Other individuals who have made substantial contributions of one kind or another to the University.
 3. Individuals, including non-alumni, of regional, national, or international reputation.
- C. Honorary degrees may be presented at any Commencement. Up to four nominations from the Committee in each of the three

ARTICLE XIV: HONORARY DEGREES

categories may be submitted for the academic year to be divided among the December and May Commencements.

- D. Trustees of the University may be candidates for honorary degrees two years following retirement from the Board.
- E. Members of the faculty and staff of the University may be candidates for honorary degrees two years after the date of retirement.
- F. Typically, nominations should consist of two internal and two external letters of nomination that explicitly describe the reasons for the nomination; and a curriculum vita, resume, or biography. These should be given to the Secretary of University Senate or his or her designee who will forward them to the Awards and Recognition Committee.
- G. Names of candidates shall be submitted to the University Senate according to this section as stated above. The names of those candidates receiving a majority vote by the University Senate in each of the categories shall be submitted to the President for consideration.
- H. It is understood and agreed upon, as reflected in the Standing Rules of the University Senate, that nominations for honorary degrees following the procedure set forth in Section 2, part A of this Article shall be received, discussed, and voted upon in executive session of the University Senate.

Section 3.

Honorary Degrees to be Received at Other Times - Procedures for Selection.

The following procedure, except in circumstances otherwise deemed appropriate by the Board of Trustees, will be followed in nominating and recommending candidates to receive honorary degrees other than at commencements or the Charter Day convocation:

- A. Recommendations for honorary degrees may be submitted by members of the Board of Trustees, the faculty, staff, students, and alumni to the Secretary of University Senate or his or her designee.

ARTICLE XIV: HONORARY DEGREES

- B. The Awards and Recognition Committee will constitute the duly authorized committee on honorary degrees and shall consider all recommendations submitted to it by the Secretary of University Senate or his or her designee.
- C. Typically, nominations should consist of two internal and two external letters of nomination that explicitly describe the reasons for the nomination; and a curriculum vita, resume, or biography. These should be given to the Secretary of University Senate or his or her designee who will forward them to the Awards and Recognition Committee.
- D. The Committee on Awards and Recognition will review the recommendations and give its advice and consent to the President.
- E. Recommendations receiving favorable consideration by the Committee on Awards and Recognition will subsequently be forwarded by the President of the University to the Board of Trustees for further consideration and final approval.
- F. The President of the University will inform the University community of those individuals who have been approved by the Board for the granting of an honorary degree.

ARTICLE XV: INSIGNIA

Section 1. Colors of Miami University

The official colors of Miami University shall be crimson and white. (Vol. 5, page 54, Minutes of the Board of Trustees, September 18, 1902.)

Section 2. Seal of the Miami University.

"A seal has been provided of the description following, to wit: Around the outer circle thereof are the words, 'Sigillum Universitatis Miamiensis.' Within the circle are an open book, a globe, and a telescope, surmounted by these words as a motto: 'Prodesse quam conspici.' That the said seal be, and the same is hereby adopted as the seal of the Miami University." (Vol. 1, pages 176-177, Minutes of the Board of Trustees, September 26, 1826.)

Section 3. Motto of the Miami University.

The motto of the University shall be "Prodesse quam conspici," which may be translated "To Accomplish Rather Than to be Conspicuous," or "It Is Better to be Useful Than Conspicuous."

Section 4. Flag of Miami University.

The flag of Miami University shall be made in accordance with the following specifications: standard American flag proportions (generally 4 feet x 6 feet) with a field divided by a diagonal bar half crimson (coccinum), half white (album); the predominate color of crimson to be that half of the flag above a diagonal bar from the bottom of the hoist at the mast to the upper corner of the fly end; the subordinate color of white to be that half of the flag below a diagonal bar from the bottom of the hoist to the upper corner of the fly end. Satin or similar materials shall be used. In all instances, the National Flag Code shall be followed when displaying the flag of the University. Whenever the flags of the State of Ohio and Miami University are displayed together, the latter shall be subordinate to the former.

**ARTICLE XVI: REGULATIONS: THEIR PROMULGATION,
AMENDMENT, AND REPEAL**

Section 1. Amendment.

These Regulations may be amended at any meeting of the Board of Trustees by a majority vote of the members present and voting, provided that at least fourteen days notice of such proposed amendment has been given in writing to each member.

Section 2. Previous Enactments of the Board.

Nothing herein contained shall invalidate any lawful action taken under any regulation, ordinance, rule or regulation for the government of Miami University previously enacted by the Board of Trustees.

Section 3. Effective Date of Implementation.

These Regulations shall be in full force and effect from the date of their enactment by the Board or upon such date as specified by the Board of Trustees.

Codification:	June 1909
Revised:	June 1954
Revised:	February 1960
Revised:	June 1969
Amended:	September 1973
Amended:	July 1978
Amended:	February 1979
Amended:	June 1982
Amended:	September 1982
Amended:	December 1982
Amended:	October 1983
Amended:	April 1985
Amended:	July 1987
Amended:	March 1988
Amended:	August 1988
Amended:	August 1989
Amended:	December 1989
Amended:	June 1990
Amended:	September 1991
Amended:	December 1997
Amended:	June 1998
Amended:	September 1999
Amended:	June 2000
Revised:	January 2001 (to reflect 1986 amendment, R86-42, to Article IV, Sections 2 and 12)
Amended:	April 2001
Amended:	June 2002
Amended:	June 2004
Amended:	February 2005
Revised:	February 2007 (to reflect Business School name change)
Amended:	February 2008
Revised:	May 2010 (to reflect termination of School of Interdisciplinary degrees)
Amended:	April 2011
Amended:	December 2011
Amended:	April 2012
Amended:	September 2012
Amended:	July 2013
Amended:	September 2014
Amended:	June 2015

Prepared by the Secretary to the Board
printed: June 2015