

REGULATIONS
of
THE BOARD OF
TRUSTEES

of
THE MIAMI UNIVERSITY

February 2008

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 University, and shall adopt, and from time to time amend, the

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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, and the Board Chair will prepare a formal letter of appointment with notification to the Governor of Ohio.

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

A maximum of three 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 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 place on file in the King Library on the Oxford Campus and in the libraries on the Hamilton and Middletown Campuses the schedule 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 January and ending in December, the Chair and the Secretary to the

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Board shall send notice 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 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 Board, when duly convened, shall constitute a quorum. (Ohio Revised Code, Section 3339.01). A majority of the voting members of the Board must be present at a duly convened meeting to vote on resolutions or ordinances.

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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 shall serve as ex-officio member of each committee 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.

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.

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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 in a book to be kept for the purpose; 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 on Naming Campus Facilities

The Committee on 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). The Board of Trustees has sole authority to approve the name of campus facilities.

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

ARTICLE II: MEETINGS AND ORGANIZATION OF THE BOARD OF TRUSTEES

by the Board of Trustees in the Finance and Audit Committee Charter as adopted by Board Resolution R2005-20 (and as it may be hereafter amended). 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 as provided in Board Resolution R2005-20 (and as it may be hereafter amended). The Committee shall also meet as stipulated in its Charter as provided in Board Resolution R2005-20. The time, date, and location of the meetings are to be set by the Chair in consultation with the other members of the Committee and staff. The principal liaison to the Finance Committee is the Vice President for Finance and Business Services. Additional staff members will be called upon as needed for specific reports to the Committee.

Section 14. 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 15. 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, School of Education and Allied Professions, Farmer School of Business, School of Fine Arts, School of Engineering and Applied Science, School of Interdisciplinary Studies (Western College Program), Graduate School, 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. Upon satisfactory completion of the prescribed course of study, a student shall be entitled to receive the degree appropriate to his or her attainment.
- 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, after consultation with the Provost, and with the approval 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, 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 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 Board of Trustees upon nomination of the President and 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 Board upon nomination of the President. He/she is the chief business and financial officer of the University under the President responsible for the (1) business affairs of the

ARTICLE IV: ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

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 Board of Trustees upon nomination of the President 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 Board of Trustees upon nomination of the President 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 Board of Trustees upon nomination of the President and shall be responsible for the development, implementation, and administration of the University's information technology infrastructure and computing systems.

Section 8. 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

ARTICLE IV: ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

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 9. The President, the Vice Presidents, 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.

Section 10. **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 11. **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 12. **Signature Authorization for Provost and Vice President for Finance and Business Services.**

ARTICLE IV: ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

In the absence of the President, the Provost and Executive Vice President for Academic Affairs or the Vice President for Finance and Business Services and Treasurer of the University are authorized to sign in their official capacities (their own name) all necessary documents and papers pertaining to the operating needs of the University.

The Provost and Executive Vice President for Academic Affairs and the Vice President for Finance and Business Services and Treasurer are authorized to delegate to other appropriate administrative personnel of the University their authority to sign on behalf of the University all necessary documents and papers pertaining to the operating needs of the University, provided that such delegation 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).

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 administrative staff are subject to approval by the President and Board of Trustees. These policies are enumerated in the Miami University Policy and Information Manual.
- Section 2.** The Board authorizes the President (or such persons as the President may designate) within the budgetary resources of the University, to employ members of the unclassified staff (instructional and administrative) to meet the operating needs of the University.
- Section 3.** 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.
- Section 4.** The Board designates the President (or such persons as the President may designate) as the appointing authority for classified employees.
- Section 5.** The Board designates the President (or such person as the President may designate) as the appointing authority for law enforcement officers.
- Section 6.** All employees of the University shall be employed in the civil service of the State of Ohio in accordance with law and regulations governing such service.
- Section 7.** For purposes of determining the effective date of retirement, the provisions of the State Teachers Retirement System or the Public Employees Retirement System, whichever is applicable to the individual case, will prevail.

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 and adoption by the Board.

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 and all librarians who hold the rank of Assistant Professor, Associate Professor or Professor.

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;

ARTICLE X: MAINTENANCE OF LAW AND ORDER

- 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. The Board of Trustees must approve all capital expenditures over \$1,000,000.00 and individual change orders with a total cost of \$100,000.00 or more.

Section 3. The President shall submit a report of all financial transactions of the University as scheduled by the Board at regular or special meetings of the Board.

Section 4. In accordance with University policy, as approved by the President, the University may accept gifts.

Section 5. 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 authorization from the President.

Section 6. 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 7. 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.

ARTICLE XI: BUDGET AND FINANCIAL ADMINISTRATION

Section 8. 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.

Section 9. The Board delegates to the Vice President for Finance and Business Services and Treasurer and the Associate Vice President for Finance and Business Services the authority to negotiate and sign contracts on behalf of the University, subject to those certain restrictions imposed by Resolutions of the Board of Trustees (R84-59, R89-11, and R2000-5) as those restrictions may, from time to time, hereafter be amended by the Board.

The Board authorizes any of the following officers of the University: 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, in the name and on behalf of the President and Trustees of the Miami 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.

Section 10. All agreements, contracts, leases, and other instruments involving the acquisition or conveyance of any interest in real property, including granting easements and rights-of-way, but excluding short-term rental of University facilities, must be individually and specifically approved by the Board of Trustees.

ARTICLE XII: BUILDINGS

Section 1. The construction of all buildings and other structures shall be authorized by the Board.

Section 2. All buildings shall be carefully maintained in as good state of operation as possible from the funds authorized for this purpose.

Section 3. 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: LAND RENTS AND LEASES

Section 1.

All lands of Miami University, in Butler County, having been leased under former ordinances and regulations, the amount of such land rents now existing on each tract is hereby approved subject to the following rules:

- A. Any division of an existing lot or separate tract shall be approved by the Secretary to the Board and such approval noted upon a plat thereof which shall be filed with the Secretary if in the opinion of the Secretary it is necessary. Such approval shall also be noted on any plat of any platted subdivision before presentation to other proper officers of Butler County for transfer and record.
- B. The rent on every tract shall be not less than \$1.00 per year.
- C. In all cases where the original tracts or lots heretofore leased, or which may hereafter be leased by the trustees of said University, have been or shall be subdivided by the lessees or their assignees, and are now, or may be held by two or more occupants, whether lessees, or assignees, or both, said occupants, by application to the proper officer, whose duty it is to keep the books or records of said lands, may have their lots or subdivisions so held by them, entered separately on the books of said corporation, upon such terms and conditions as to rent and otherwise, as may be agreed upon between them and the trustees of the University, and thereafter the amount of rent so fixed upon each subdivision shall be levied in the name of the owner or occupant thereof, and shall be collected in the same manner, and each subdivision shall be subject to the same liens and restrictions that are now imposed by law on entire lots or tracts of land, the leases for which had been granted in conformity with the provisions of "An Act to Establish the Miami University," passed February 17, 1809: Provided, that no such entry or transfer shall be made except upon application of all the parties concerned in such subdivision; and, provided further, that the expense of such entry and transfer shall first be paid by the person making application for the same; and, provided, further, that the trustees in making such subdivisions shall not be bound to apportion among them the original rent, but may increase the same, and shall in no case agree to a rent of less than one dollar per annum for any subdivision.

ARTICLE XIII: LAND RENTS AND LEASES

- D. A fee of \$1.00 shall be charged for opening a new account on each new tract created by division of an existing tract.
- E. In any case in which a small tract is separated from one tract and joined to an adjoining tract and will for all intents and purposes become part of that tract and the proportionate value is less than \$1.00, it may be merged with the receiving tract on the land rent records and the annual rent of the receiving tract increased by \$1.00.
- F. The Secretary shall not record such deeds presented to him but shall enter the transfer upon his records and indicate such fact with an approval for record on such document, upon payment of a transfer fee of 25 cents for each tract.

Section 2. All land rents due the University shall be due and payable to the Treasurer of the Board of Trustees at the office of the Secretary to the Board of Trustees at any time between March 1 and March 31 of each year.

Section 3. Delinquent lands shall be assessed a penalty of 10 percent which shall be collected as interest at time of payment.

Section 4. When the rent upon any lot or tract of land shall be in arrears and delinquent for a period of three (3) months, a written notice thereof shall be mailed by the Secretary to the owner at his last known address as shown on the records in the office of the Secretary requiring payment within ten (10) days.

Section 5. Not less than thirty (30) days after mailing the notice mentioned in 4 above, the Secretary shall issue an execution to the Collector describing the lot or tract, the name of the owner of record, and the amount of rent and penalty due, and directing such Collector to levy upon goods and chattels of such delinquent lessee for the payment thereof, together with costs. For want of goods or chattels, whereon to levy, or if such goods and chattels shall not be sold for want of buyers, the Collector shall levy upon the lot or lots, of such delinquent lessee for the collection of the rents due, upon which the execution may have been issued, and shall advertise the same for sale, by setting up four advertisements at the most public places within the township, giving at least thirty (30) days' notice of the time and place of sale, and if the rents together with the costs remain unpaid on the day of sale, he shall

ARTICLE XIII: LAND RENTS AND LEASES

proceed to sell the term of the lessee, in such lot or lots to the highest bidder. Provided, that such term in said lot or lots shall sell for so much as will pay all rents due upon such lot or lots, with interest and costs, and if there should be no buyers, or the term in such lot or lots should not sell for so much as will pay all rents due thereon, with interest and costs, such lot or lots shall revert to Miami University, and the Collector shall at the expiration of forty (40) days from the day of the issuing of any execution as aforesaid, return the same to the Secretary with an endorsement made thereon, stating the manner in which the same may have been executed, or that the lot or lots have reverted as aforesaid, and the Secretary shall record the same, which return and record shall be sufficient authority for the corporation to make a new lease subjecting the new lessee to the condition and provisions contained in the lease of the delinquent; and the Collector shall, after deducting from the proceeds of sale, the rents, interest, and costs pay the residue, if any there be, to the original lessee or proprietor.

Section 6. In case any lot or tract which shall have been offered for sale shall not be sold for the amount of rent, penalty, and costs due thereon, the Collector shall forthwith re-enter and take possession thereof for the use of the University. In such case a transcript of the proceeding shall be prepared by the Collector and transferred upon the land records of the University, and recorded in the office of County Recorder, showing title thereto in Miami University.

Section 7. The Collector shall be elected annually by the Board to serve until his successor shall have been elected and qualified. Before entering upon his duties the Collector shall take an oath of office and give bond with a surety company in an amount of \$1,000.00, conditioned for the faithful performance of his duties. The bond shall be approved by and filed with the Treasurer of the Board. The Collector shall turn over to the Treasurer within thirty (30) days after receipt any monies which shall come into his hands by virtue of his office.

Section 8. The costs to be collected by the Collector in proceedings brought by him are:

A. Preparation of execution	\$.75
B. Service of execution	.80
C. Return of execution	.20
D. Preparation of legal notice of sale	2.50
E. Conducting sale	2.50

ARTICLE XIII: LAND RENTS AND LEASES

F. Return of sale	.80
G. Preparation of transcript	2.50

Section 9.

In all cases wherein land has reverted to the University by reason of proceedings under this part (or provision), the land may be held by the University for its own use, or may be rented for income purposes other than land rent, at such rental as the Board may direct.

ARTICLE XIV: 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 Central Collegiate Hockey Association 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 Committee are to represent University Senate and advise the President and Athletic Director about University policies related to Intercollegiate Athletics. The Committee shall have authority to make recommendations to the Senate about the standards of academic eligibility to participate in intercollegiate athletics and to advise the President about the sports in which Miami will participate. The Committee will advise the President generally on matters affecting the academic

ARTICLE XIV: INTERCOLLEGIATE ATHLETICS

and athletic integrity of intercollegiate athletics including, but not limited to, matters affecting student-athlete welfare. A member of the Athletic Policy Committee shall serve on every search committee for the position of head coach. The Committee is particularly charged with the responsibility to review annually the graduation rate of student athletes during the preceding year and to report and to note changes in trends in the rate of graduation. Actions of the Athletic Policy Committee that require approval of the Senate (e.g., new sports or changes in academic eligibility) will be reported to the Executive Committee for inclusion on the Senate agenda or referral to an appropriate standing committee of Senate.

ARTICLE XV: 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. A Committee on Awards and Recognition, which is advisory to the President, shall be composed of six (6) tenured faculty members, at least one of whom shall be a member of the University Senate. As part of its responsibilities the Committee shall serve as the nominating committee for honorary degrees. The Secretary of the University shall serve as secretary of the Committee 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 categories may be submitted for the academic year to be divided among the December, May and August Commencements.
- D. Trustees of the University may be candidates for honorary degrees two years following retirement from the Board.

ARTICLE XV: HONORARY DEGREES

- 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 the University 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 1, 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 the University.
- B. The Committee on Awards and Recognition will constitute the duly authorized committee on honorary degrees and shall consider all recommendations submitted to it by the Secretary of the University.

ARTICLE XV: HONORARY DEGREES

- 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 the University 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 XVI: 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 conspicui.' 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 conspicui," 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 lower 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 XVII: 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

Prepared
by the Secretary to the Board

printed: February 2008