

CENTRAL MICHIGAN UNIVERSITY **CHAPTER 13**
MANUAL OF BOARD OF TRUSTEES
POLICIES, PRACTICES AND REGULATIONS **PAGE 13-22**

**SUBJECT: COMMUNICATION TO BOARD OF TRUSTEES
 OF SUBSTANTIAL EVENTS**

The Board of Trustees approves and adopts the Communication to Board of Trustees of Substantial Events Policy dated September 27, 2018.

I. Communication to Board of Substantial Events.

The Central Michigan University Board of Trustees is the governing body corporate of Central Michigan University, a Michigan public university, and is created by the Michigan Constitution of 1963 (“CMU”). To further its Mission, CMU has established as its core values: integrity, respect, compassion, inclusiveness, social responsibility, excellence and innovation. The Board expects that CMU will advance these core values, and is committed to communication to the Board when these core values are not honored by CMU and its community members, including its employees, students, and volunteers.

The Board establishes this policy and process for its members to be timely informed of Substantial Events in furtherance of its fiduciary duties. As described in this policy the Board intends that it be notified of any substantial activity that may adversely impact the business of CMU and its core values, the reputation of CMU, or the continuity of its business operations, including, but not limited to, the following identified Substantial Events. Additionally, the Board directs that its members be timely informed of the occurrence of each such Substantial Events in accordance with the process described in this policy. Any CMU employee who is determined to have violated this policy may be subject to discipline, up to and including termination of employment. For each of the below Substantial Events, CMU has identified the divisional office with primary responsibility for reporting to the president, their divisional vice president (if applicable), and the vice president and general counsel. CMU has identified the following as Substantial Events:

1. A complaint filed with the Office of Civil Rights and Institutional Equity (“OCRIE”) against a CMU employee alleging sexual misconduct as defined in the CMU sexual misconduct policy. OCRIE will have primary responsibility for reporting this matter.
2. A final determination by CMU that a CMU employee has violated CMU’s nondiscrimination policy or its sexual misconduct policy. OCRIE will have primary responsibility for reporting this matter.
3. Any adverse employment action taken against any CMU Senior Officer. Human Resources will have primary responsibility for reporting this matter.

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4. The arrest of a CMU employee, student, or volunteer for a crime when the alleged victim is also a CMU employee, student, or volunteer, or CMU, or when the crime has a relationship or nexus to CMU. The CMU Police Department will have primary responsibility for reporting this matter.
5. The arrest of a board member of a public school academy authorized by the Board, when the alleged victim and/or the crime has a relationship or nexus to CMU or is the public school academy. The CMU Center for Charter Schools will have primary responsibility for reporting this matter.
6. The employment termination of a CMU employee, or the dismissal of a CMU student, or the discontinuation of eligibility to volunteer for a CMU volunteer, based on a determination of a violation of CMU's nondiscrimination policy or its sexual misconduct policy. Human Resources, Faculty Personnel Services, and the Office of Student Conduct will have primary responsibility for reporting this matter.
7. The commencement of a research misconduct investigation against a CMU employee when the potential remedy may include the return of funding in the amount of \$100,000 or greater, or when the employee's conduct may include employment termination as a sanction. The Office of Research and Graduate Studies will have primary responsibility for reporting this matter.
8. The commencement of an investigation involving CMU Intercollegiate Athletics when the potential conduct may constitute a major violation of National Collegiate Athletic Association Bylaws. The Office of the Associate Vice President and Director of Athletics will have primary responsibility for reporting this matter.
9. Notification to CMU by a federal or state department or agency regarding the commencement of an investigation involving CMU or its employees, students, or volunteers, other than matters regularly reported to the Board by the Office of General Counsel. The Office of General Counsel will have primary responsibility for reporting this matter.

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10. A known or suspected breach of CMU information technology systems that may have compromised protected health information, protected personally identifiable information, or sensitive personal information (e.g., social security numbers or similar sensitive data). The Office of the Vice President for Information Technology and Chief Information Officer will have primary responsibility for reporting this matter.
11. Any changes to accreditation that may have an adverse impact on CMU, its employees or students. The Office of the Executive Vice President and Provost will have primary responsibility for reporting this matter.
12. Any other substantial event which may adversely impact CMU or the continuity of its business operations, such as an unexpected closure or loss of a campus building(s), etc. All CMU Senior Officers are responsible for reporting such matters.

The Board recognizes that it will receive timely warnings and emergency notifications as required under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, and that it receives regular updates related to CMU litigation from the Office of General Counsel. Additionally, the Board will receive periodic notifications regarding sexual misconduct matters in accordance with the Michigan School Aid Act.

II. Process for Communication to Board.

The divisional office with primary responsibility for reporting Substantial Events will immediately file a written report, preferably by electronic communication to ensure timeliness, with the president, their divisional vice president (if applicable), and the vice president and general counsel. The president or the vice president and general counsel shall send a written communication to the Board members providing a substantive summary of such Substantial Event for the Board members' review. Updated reports related to all Substantial Events shall be provided by the president or the vice president and general counsel to the Board as requested by the Board or as necessary to comply with the intent of this policy.