

## THE CHARTER OF BRANDEIS UNIVERSITY

Brandeis University became a legal entity on March 13, 1947, when the Secretary of the Commonwealth of Massachusetts gave official sanction and legal validity to the action of the Board of Trustees of Middlesex University in voting to change the name of that institution from the Trustees of Middlesex University to Brandeis University.

Brandeis University is an eleemosynary educational corporation chartered by special legislative enactment by the Commonwealth of Massachusetts. The charter consists of Chapter 326 of the Acts of 1937, as amended by Chapter 123 of the Acts of 1951, Chapter 233 of the Acts of 1956, Chapter 257 of the Acts of 1961, Chapter 371 of the Acts of 1968, and Chapter 354 of the Acts of 1973. The present charter of the University as amended is set forth below.

## Chapter 326

### THE COMMONWEALTH OF MASSACHUSETTS IN THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN

AN ACT incorporating the Trustees of Middlesex University with Power to grant Certain Degrees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

#### **Section 1**

Frank L. Whipple, John Hall Smith, Horatio S. Card, Howard C. Gale, John M. Russell, C. Ruggles Smith, their associates and successors, are hereby constituted a body corporate by the name of the Trustees of Middlesex University; and they and their successors and such as shall be duly elected members of said corporation shall be and remain a body corporate by that name forever. Said Trustees shall be self-perpetuating and shall have power as shall be required, to elect a president, vice-president, secretary, and treasurer, and such other officers as may be necessary, and to declare the duties and tenures of their respective offices; provided, nevertheless, that the number of the members shall not be greater than twenty-one.

#### **Section 2**

The said corporation shall have full power and authority to determine what times and places their meetings shall be held, and the manner of notifying the trustees to convene at such meetings and also, from time to time, to select such professors and instructors of said University as they shall judge necessary for the interest thereof; and to determine the duties, salaries, emoluments, responsibilities, and tenures of the same; and said corporation is further empowered to purchase or erect, and keep in repair, such buildings as they shall judge necessary for said University; also to make and ordain, as occasion may arise, reasonable rules, orders, and bylaws for the regulation of their own body, and also to determine and regulate the courses of instruction in said college; and said corporation may receive and hold real or personal estate, by gift, grant, devise, bequest, or otherwise; and shall have all rights, privileges, immunities, and powers, including the conferring of the degrees of bachelor of arts, bachelor of science, doctor of medicine, doctor of surgical chiropody or podiatry, and doctor of veterinary medicine, upon candidates recommended by the faculties of its respective schools; and said corporation may grant such honorary testimonials and confer such further degrees and diplomas, consistent with the general purposes of its charter, as may be determined and prescribed by its trustees; provided, that the degree of doctor of surgical chiropody or podiatry shall be conferred only upon candidates recommended by the faculty of its

school of medicine and that all courses required for such degree shall be approved by the approving authority established under the provisions of section

two of chapter one hundred and twelve of the General Laws, as amended by sections one and two of chapter two hundred and forty-seven of the acts of nineteen hundred and thirty-six, and the provisions thereof relative to the approval of a medical school shall apply to the approval of said courses; and, provided further, that no honorary degree or testimonial shall be conferred except by the vote of a majority of the trustees of said corporation.

### **Section 3**

The said corporation may have a common seal, which may be altered or renewed, and all deeds sealed with the seal of said corporation and signed in accordance with a vote of the board of trustees, shall be considered in law as the deeds of said corporation; and the said corporation may sue and be sued in all actions.

### **Section 4**

The clear income of the estate, real or personal, of which said corporation shall be seized and possessed, shall be applied to the endowment of said University in such manner as most effectually to promote the general educational purposes of said corporation.

### **Section 5**

No officer or instructor in said University shall ever be required by the trustees to profess any particular religious opinions as a test of office, and no student shall be refused admission to or denied any of the privileges, honors, or degrees of said college on account of the religious opinions he may entertain.

### **Section 6**

Middlesex College, an educational institution incorporated under chapter twenty-eight of the acts of eighteen hundred and forty-nine under the name of the Worcester Medical Institution, and whose name was changed to its present one by chapter one hundred and twenty-nine of the acts of nineteen hundred and thirty-five, and the University of Massachusetts, Inc., a corporation organized under the general laws of the commonwealth in nineteen hundred and seventeen, are hereby authorized to transfer to the Trustees of Middlesex University, upon such terms and conditions as shall be agreed upon by said corporations, the various schools now maintained by said Middlesex College and the University of Massachusetts, Inc., together with all powers, rights, privileges, and franchises, real and personal property, claims, trusts, and estates

appertaining in law or in equity to said Middlesex College and said University of Massachusetts, Inc.

## **Section 7**

When in meetings duly called for the purpose, such transfers shall have been agreed upon by the corporations aforesaid, and duly executed, and when

certificates thereof, signed by the presidents of said corporations, shall have been filed in the office of the secretary of the commonwealth, the Trustees of Middlesex University shall, thereupon, take and enjoy all the powers, rights, privileges, franchises, real and personal property, claims, trusts, and estates, appertaining in law or in equity to said Middlesex College and said University of Massachusetts, Inc., subject, however, to all duties, restrictions and liabilities belonging thereto, and connected therewith, and said Middlesex College and the University of Massachusetts, Inc., shall thereafter remain corporations only for the purpose of executing all such transfers, assignments, and conveyances as may be deemed necessary to vest all such rights, properties, claims, and estates in the Trustees of Middlesex University, and for the purpose also of receiving any gifts, devises, or bequests that may have been made to them by will or otherwise, and of transferring the same as aforesaid, and for the other purposes specified in section fifty-one of chapter one hundred and fifty-five of the General Laws, Tercentenary Edition; provided, however, that the Trustees of Middlesex University may continue to make use of the name "Middlesex College" to designate the academic department of said University; and provided further, that upon the dissolution of the University of Massachusetts, Inc., the name "University of Massachusetts" shall never thereafter be appropriated by or conferred upon any educational institution other than one maintained and controlled by the commonwealth.

House of Representatives, May 17, 1937

Passed To Be Enacted

(Signed) Horace T. Cahill, Speaker in Senate, May 18, 1937

Passed To Be Enacted

(Signed) Samuel H. Wragg, President, May 20, 1937

Approved

(Signed) Charles F. Hurley, Governor