

The University of Texas Publication

No. 4331

August 15, 1943

RULES AND REGULATIONS OF THE BOARD OF REGENTS FOR THE GOVERNMENT OF THE UNIVERSITY OF TEXAS

Sixth Edition

Adopted by the Board of Regents March 14, 1936
(with amendments to August 1, 1943)

PART I
Second Printing



PUBLISHED BY
THE UNIVERSITY OF TEXAS
AUSTIN

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Sixth Edition

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(with amendments to August 1, 1943)



THIS PUBLICATION IS ISSUED FOUR TIMES A MONTH AND ENTERED AS
SECOND CLASS MATTER AT THE POST OFFICE AT AUSTIN, TEXAS
UNDER PERMIT NO. 107 AUGUST 24, 1912

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PART I
Second Printing



PUBLISHED BY THE UNIVERSITY FOUR TIMES A MONTH AND ENTERED AS SECOND-CLASS MATTER AT THE POST OFFICE AT AUSTIN, TEXAS, UNDER THE ACT OF AUGUST 24, 1912

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The benefits of education and of useful knowledge, generally diffused through a community, are essential to the preservation of a free government.

Sam Houston

Cultivated mind is the guardian genius of Democracy, and while guided and controlled by virtue, the noblest attribute of man. It is the only dictator that freemen acknowledge, and the only security which freemen desire.

Mirabeau B. Lamar

PREAMBLE

The Constitution of Texas, Article VII, Section 10, makes it the duty of the Legislature to "provide for the maintenance, support, and direction of a university of the first class, to be . . . styled 'The University of Texas.'" The Legislature has vested the "government" of the University in the Board of Regents of The University of Texas (*Revised Civil Statutes, 1925*, Article 2584) with broad powers of "direction" (*Revised Civil Statutes, 1925*, Articles 2585 and 2586).

In exercising the powers of government and direction vested in the Board of Regents by statute, the Board has deemed it wise, SUBJECT TO THE CONSTITUTION AND STATUTES, to adopt the following Sixth Edition of its *Rules and Regulations for the Government of The University of Texas*, repealing all the rules and regulations of earlier editions not found herein.

First Edition adopted August 25, 1891.

Second Edition adopted September 26, 1904.

Third Edition adopted November 11, 1912.

Fourth Edition adopted April 27, 1920.

Fifth Edition adopted December 8, 1925.

Sixth Edition adopted March 14, 1936.

BY-LAWS OF THE BOARD OF REGENTS FOR THE BOARD OF REGENTS

CHAPTER I

MEETINGS

Section 1. **Regular meetings.**—The regular meetings of the Board of Regents shall be held at 9:00 A.M. on the fourth Saturday in each month except when otherwise determined in advance by the Board in session or except when the Chairman, by action of the Board, is authorized to select a date for a subsequent meeting. All meetings shall be held in Austin except when otherwise determined in advance by the Board.

Sec. 2. **Special meetings.**—If the Chairman of the Board shall receive a request, signed by five members, that he call a special meeting for purposes specified in the request, or if he shall receive a request from the President, in which the Chairman concurs, the Chairman shall call a special meeting by causing written notification of the time, purposes, and place thereof to be mailed to each member of the Board by the Secretary of the Board at least five days before the time of the meeting. No business other than that embraced in the call for the special meeting shall be transacted thereat except by consent of a majority of the whole Board.

CHAPTER II

OFFICERS

Section 1. **Election of officers.**—In each odd-numbered year, at the first regular meeting following the appointment by the Governor and the confirmation by the Senate of the three members regularly to be appointed that year, the Board shall elect a Chairman and a Vice-chairman. Each of these officers shall hold office for two years and until his successor is duly elected. In case of the death, resignation, or disqualification of an officer, the Board shall, as soon as practicable thereafter, elect a successor for the unexpired term.

Sec. 2. **Duties of officers.**—It shall be the duty of the Chairman to preside over the meetings of the Board, to call special meetings as herein provided, and to perform such other special duties as shall be committed to him by the Board. Under the direction of the Board he shall prepare the regular biennial report of the Board of Regents and such other reports as may be required by law, and shall have power to require the advice and assistance of the President and other officers of the University in compiling these reports. The Regents shall provide for the publication and preservation of these reports.

The Vice-chairman shall upon the death, absence, resignation, disability, or disqualification of the Chairman, perform the duties of the Chairman until the Chairman shall resume his office or his successor shall have been elected, as herein provided.

Sec. 3. **Secretary of the Board.**—At the regular meeting which follows the election of the Chairman and Vice-chairman of the Board, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board.

The Secretary of the Board shall keep minutes of the meetings of the Board, properly indexed. He shall file, index, and preserve carefully all papers and documents pertaining to the business and proceedings of the Board, and he shall be the responsible custodian of those archives of the University itself that are not specifically placed in the custody of some other University officer.

CHAPTER III

COMMITTEES

Section 1. **List of standing committees.**—There shall be appointed the following standing committees: (a) Executive Committee; (b) Investment and Finance Committee; (c) Accounting and Auditing Committee; (d) Campus and Buildings Committee; (e) Legislative Committee; (f) Land Committee; (g) Complaint and Grievance Committee; (h) Public Relations Committee; (i) Medical Branch Committee; (j) College of Mines and Metallurgy Committee; (k) Board for Lease of University Lands Committee; (l) Main University Library Committee; (m) Intercollegiate Athletics Committee; (n) McDonald Observatory Visiting Committee; and (o) Texas Memorial Museum Committee.

Sec. 2. **Appointment and term of standing committees.**—The standing committees shall be appointed by the Chairman shortly after his election, by and with the consent of the Board, and shall remain as constituted (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Chairman shall have reconstituted the committees.

Sec. 3. **Method of filling vacancies in standing committees.**—In case a vacancy shall occur on any of the standing committees, the Chairman of the Board shall appoint another member or members of the Board to serve thereon until the next regular meeting, at which time the sense of the Board shall be taken on such appointment, and, if confirmed, the appointment shall stand until the time for reconstituting the standing committees as herein provided.

Sec. 4. **Authority of standing committees.**—The authority of standing committees of the Board shall be subject to the policies of

the Board and, except in cases where it is necessary to act for the Board, their acts shall be referred to the Board for approval.

Sec. 5. **Duties of the Executive Committee.**—The Executive Committee shall consist of the Chairman of the Board, who shall serve as *ex officio* chairman of the Committee, and two other members. It shall be the duty of this Committee to execute such orders and resolutions of the Board as shall be assigned to it at any meeting of the Board and, in the event any emergency requiring immediate action arises during the time intervening between the meetings of the Board, immediately to take such provisional action as the emergency shall, in the judgment of the Committee, require. At each meeting of the Board the Committee shall report, in writing, for approval, all actions taken by it. The President, in making recommendations for the approval of the Executive Committee between meetings, shall forward a copy of his recommendations to each of the other members of the Board except in the case of transfer items amounting to five hundred dollars (\$500) or less.

Sec. 6. **Duties of the Investment and Finance Committee.**—The Investment and Finance Committee shall consist of three members. To this Committee shall be referred all questions involving the revenues and disbursements of the University, including the investment of endowment and trust funds and the administration of lands acquired by or for trust funds, but excluding the appropriation bills, which appertain to the Legislative Committee.

Sec. 7. **Duties of Accounting and Auditing Committee.**—The Accounting and Auditing Committee shall consist of three members. This Committee shall have power to select a certified public accountant, or accountants, who shall audit all accounts of receipts and expenditures on behalf of the University and such other matters as the Board may desire to have audited. This Committee shall also have power to examine into the methods of accounting and the tabulation of statistics and make recommendations regarding desirable changes in the methods.

Sec. 8. **Duties of the Campus and Buildings Committee.**—The Campus and Buildings Committee shall consist of three members. To this Committee shall be referred questions relating to the campus and buildings of the Main University at Austin, the Medical Branch at Galveston, the McDonald Observatory at Mount Locke, the School of Dentistry at Houston, the M. D. Anderson Hospital for Cancer Research at Houston, the Texas Memorial Museum at Austin, and other related matters. It shall be the duty of this Committee, upon authorization of the Board, and subject to law, to make and let all contracts for the erection of new buildings, for extensive improvements and repairs to old buildings, and for extensive improvements in the

grounds of the University; to prepare and file written contracts therefor; and to report its action, in writing, at the next regularly called meeting of the Board for approval.

Sec. 9. Duties of the Legislative Committee.—The Legislative Committee shall be composed of three members. To this Committee shall be referred all matters relating to the Constitution and laws of the State affecting the interests of the University. It shall be the duty of the members of this Committee to familiarize themselves with the history of all legislation pertaining to the University and, with the advice and consent of the Board, to prepare and present to the Legislature for passage such new laws and amendments to existing laws as will promote the interests of the University and increase its efficiency, and to report to the Board all action taken by it, with such suggestions and recommendations as it may deem best. In particular, it shall be the duty of the Legislative Committee to present to the Legislature the requests of the Board for appropriations.

Sec. 10. Duties of the Land Committee.—The Land Committee shall consist of three members. To this Committee shall be referred all matters relating to the state endowment lands of the University so far as the control of these lands is vested by law in the Board. It shall make such recommendations to the Board for improving the management of the state endowment lands as it shall see fit, including needed legislation for reference to the Legislative Committee.

Sec. 11. Duties of the Complaint and Grievance Committee.—The Complaint and Grievance Committee shall consist of three members. To this Committee shall be referred all matters relating to any complaints against University regulations or any complaints or charges concerning the official or personal conduct of any member of the faculty or of any employee of the University, with power to examine into all complaints and charges and make report thereon; and it shall have like power to hear and examine into all such complaints, charges, and grievances during the time the Board is not in session; and, in the event of an emergency requiring prompt action, the Committee shall have power to take such provisional action as it may deem necessary until the sense of the Board shall have been obtained at a regular or special meeting. The Committee shall report, in writing, at each regular meeting of the Board and at such other times as may be directed, concerning all matters referred to or acted upon by it and shall make such recommendations as it may deem proper. The President, since he is charged with responsibility for the conduct of the staff, shall, at the request of the Committee, assist the Committee in making its investigations in such ways as the Committee may desire.

Sec. 12. Duties of the Public Relations Committee.—The Public Relations Committee shall consist of three members. To this Committee shall be referred all matters affecting the public relations of the University, including especially relations with the public and private schools of Texas. This Committee shall also concern itself with the printed material relating to the University which appears in newspapers and other publications, shall supervise the publication of the official reports of the Board, shall authorize for publication after each meeting matters of public interest in the minutes, and shall authorize, under appropriate conditions, the examination of the official records of the University by citizens.

Sec. 13. Duties of the Medical Branch Committee.—The Medical Branch Committee shall consist of three members. To this Committee shall be referred all matters connected with the Medical Branch, such as relations with the City of Galveston and the Sealy and Smith Foundation, that do not fall within the jurisdiction of the other standing committees of the Board.

Sec. 14. Duties of the College of Mines and Metallurgy Committee.—The College of Mines and Metallurgy Committee shall consist of three members. To this Committee shall be referred all matters connected with the College of Mines and Metallurgy, including needed legislation for reference to the Legislative Committee.

Sec. 15. Board for Lease of University Lands Committee.—The Board for Lease of University Lands Committee shall consist of two members of the Board of Regents, selected by the Board in conformity with the Act creating the Board for Lease of University Lands. To this Committee is assigned by the statutes the duty of acting, with the Commissioner of the General Land Office, as the Board for Lease of University Lands.

Sec. 16. Duties of the Main University Library Committee.—The Main University Library Committee shall consist of three members. To this Committee shall be referred all matters affecting the growth and usefulness of the Main University Library. It shall be the duty of this Committee to concern itself with the operations of the Main University Library and to meet, at the call of its chairman, with the President, the Librarian, and the chairman and the vice-chairman of the General Faculty Library Committee of the Main University to consider Main University Library matters.

Sec. 17. Duties of the Intercollegiate Athletics Committee.—The Intercollegiate Athletics Committee shall consist of three members. To this Committee shall be referred all matters affecting the conduct and management of Intercollegiate Athletics.

Sec. 18. McDonald Observatory Visiting Committee.—The McDonald Observatory Visiting Committee shall consist of three members. To this Committee shall be referred all matters affecting the W. J. McDonald Astronomical Observatory that do not fall within the jurisdiction of other standing committees of the Board.

Sec. 19. **Texas Memorial Museum Committee.**—The Texas Memorial Museum Committee shall consist of three members. To this Committee shall be referred all matters affecting the Texas Memorial Museum that do not fall within the jurisdiction of other standing committees of the Board.

CHAPTER IV

ORDER OF BUSINESS

Section 1. **Rules of order.**—*Roberts' Rules of Order*, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board is in session.

Sec. 2. **Order of business.**—The order of business when the Board shall meet in regular session shall be as follows:

- a. Correction and approval of minutes of preceding meeting.
- b. Report and recommendations of the President.
- c. Report of standing committees.
- d. Reports of special committees.
- e. Unfinished business.
- f. New business.

Sec. 3. **Meetings to be executive.**—Meetings of the Board shall be executive unless declared otherwise by a majority vote of the Board. The Board shall first meet with no one present except the Board members. Thereafter the President, the Vice-President, the Comptroller, the Secretary and such other persons as the Board may designate may be present at such executive meeting. The minutes of the Board constitute a public record and shall at all times be open to the examination of officers of the State of Texas or any citizen of the State of Texas.

Matters of public interest will be given to the Press by the Secretary, under the direction of the Public Relations Committee, as promptly as possible after each meeting.

Sec. 4. **Matters to be referred to committees.**—The Board, in all cases when practicable and desirable, before taking action on any subject or measure coming clearly within the sphere of the duties of any standing committee, shall refer the same to the proper committee, which shall report its recommendations in writing.

Sec. 5. **Communications to the Board.**—Communications to the Board from persons not members thereof, except in the case of the President and the Secretary, shall be in writing. No person other than the President and the Secretary shall be allowed to attend the sessions of the Board unless by consent of the Board. Notice of a desire to appear before the Board should be filed with the Chairman of the Board, the Secretary, or the President as far in advance of the meeting of the Board as possible.

In order to keep the President informed and to enable him to list as completely as possible the business to be attended to by the Board, communications to committees or to members of the Board shall be sent through the President or his office unless of such a nature as to render desirable a different procedure.

The Board ordinarily will not consider matters placed in the hands of the President by others than members of the Board fewer than ten days in advance of the meeting of the Board at which action is desired.

CHAPTER V

REPEAL AND AMENDMENT

Section 1. **Repeal of conflicting rules.**—All rules, orders, and regulations heretofore enacted by the Board which are in conflict with these by-laws or with the Rules and Regulations, Part II, are hereby repealed.

Sec. 2. **Manner of making amendments.**—Neither these by-laws nor the Rules and Regulations, Part II, shall be added to or amended except by a vote of a majority of all of the Regents at a regular meeting. Any proposed addition or amendment shall be filed with the Secretary, in writing, thirty days before such meeting, and it shall be the duty of the Secretary forthwith to mail a copy thereof to every member of the Board.

**CONSTITUTIONAL AND STATUTORY PROVISIONS
RELATING PARTICULARLY TO THE
UNIVERSITY OF TEXAS***

Omitting

**The Current Educational Appropriation Bill and Many
Laws Relating to Public Buildings, Public Lands,
Oil and Gas, Taxation, Banks, Public Health,
Teachers' Certificates, Et Cetera**

CHAPTER I

PURPOSE AND ESTABLISHMENT

Purpose

It [Mexico] has failed to establish any public system of education, although possessed of almost boundless resources [the public domain], and although it is an axiom in political science that, unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self-government. [*Texas Declaration of Independence, paragraph 7.*]

A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools. [*Constitution, VII, 1.*]

Provision for establishment

The Legislature shall as soon as practicable establish, organize and provide for the maintenance, support and direction of a University of the first class, to be located by a vote of the people of this State, and styled, "The University of Texas," for the promotion of literature, and the arts and sciences, including an Agricultural and Mechanical department. [*Constitution, VII, 10.*]

Act of establishment

Section 1. . . . That there be established in this State, at such locality as may be determined by a vote of the people, an institution of

*These provisions are quoted from:

1. The Texas Declaration of Independence, 1836.
2. The Constitution of the State of Texas, 1876, with amendments to August 31, 1943 (referred to here as "Constitution").
3. Vernon's *Texas Statutes*, 1936, Centennial Edition, with 1939 and 1942 *Supplements and 1948 Vernon's Texas Session Law Service* (referred to here as "Vernon"; all references are to the Civil Statutes unless otherwise noted; "P. C." indicates Penal Code).
4. Acts of the Legislature of the State of Texas, not contained in Vernon's compilation (complete references given).
5. Opinions of the Attorney General of the State of Texas.
6. The Constitution of the United States of America.

learning, which shall be called and known as The University of Texas. The medical department of the university shall be located, if so determined by a vote of the people, at a different point from the university proper, and as a branch thereof; and the question of the location of said department shall be submitted to the people and voted on separately from the propositions for the location of the main university. The nominations and election for the location of the medical department shall be subject to the other provisions of this act, with respect to the time and manner of determining the location of the university.

[The University was located in Austin and Galveston by vote of the people, September 6, 1881. Declaration of the result, by the Department of State, was made on October 17, 1881.]

Sec. 7. The regents . . . shall have the right of making and using a common seal and altering the same at pleasure.

Sec. 18. The regents shall have authority to expend the interest which has heretofore accrued, and may hereafter accrue, on the permanent university fund, for the purposes herein specified, and for the maintenance of the branches of the university; and the said interest is hereby appropriated for this purpose.

Sec. 21. The board of regents shall report to the board of education annually, and to each regular session of the Legislature, the condition of the university, setting forth the receipts and disbursements, the number and salary of the faculty, the number of students, classified in grades and departments, the expenses of each year itemized, and the proceedings of the board and faculty fully stated. [*Chapter 75, Seventeenth Legislature, Regular Session, 1881; see also Vernon, 2588.*]

Agricultural and Mechanical College

The Agricultural and Mechanical College of Texas, established by an act of the Legislature, passed April 17, 1871, located in the county of Brazos, is hereby made and constituted a branch of The University of Texas, for instruction in agriculture, the mechanic arts and the natural sciences connected therewith. And the Legislature shall, at its next session, make an appropriation not to exceed forty thousand dollars, for the construction and completion of the buildings and improvements and for providing the furniture necessary to put said college in immediate and successful operation. [*Constitution, VII, 13.*]

School of Dentistry

Section 1. A Dental College of The University of Texas is hereby created for the State of Texas. It shall be located and is established hereby in the City of Houston, Harris County, Texas, provided the Texas Dental College, Houston, Texas, shall make, execute, and deliver to the Board of Regents of The University of Texas, for and

on behalf of the State of Texas, a deed to the land, together with the buildings, improvements, and equipment thereon situated, located in the City of Houston, Harris County, Texas, now owned and used by said Texas Dental College, free of all debt or other encumbrances, to be used for the site and exclusive occupancy of such Dental College of The University of Texas. Before acceptance the Board of Regents shall secure the opinion of the Attorney General on the title to such real property. The Dental College of The University of Texas is hereby made and constitutes a branch of The University of Texas for instruction in dental education. The University of Texas, through its Board of Regents, shall take over the management and control of the Dental College and its properties.

Sec. 2. The principal purpose of said Dental College shall be to teach such branches in dental education as will give a thorough technical knowledge of dentistry, and all subjects pertaining thereto, and that shall meet the requirements of the Council on Dental Education, the American Association of Dental Schools and other such educational associations of like standard concerned with dental education.

Sec. 3. The faculty of the Dental College shall be appointed by the Board of Regents of The University of Texas. Those appointed shall thereupon become members of the faculty of The University of Texas.

Sec. 4. The Board of Regents of The University of Texas shall have the authority to confer degrees and issue diplomas, and fix a standard of grades for all students attending the College, and shall also have the power to make such other rules and regulations for the proper control and management of the school as may be deemed necessary. The Dental College shall have regular courses leading to degrees, and such other special courses as the Board of Regents of The University of Texas may deem necessary.

Sec. 5. The Board of Regents of The University of Texas shall fix the amount of tuition to be charged students in said Dental College, and all moneys and fees and all other receipts are hereby appropriated to said College to be expended under the direction and with the approval of the Board of Regents of The University of Texas. Should the Legislature, however, appropriate these funds in any general or special appropriation bill, and itemize or otherwise direct the expenditure of such funds for the use of the College, such shall control over the provisions of this Section.

Sec. 6. The Board of Regents of The University of Texas is hereby authorized to accept, in connection with said Dental College, grants or gifts of property or money for the use of said institution from other than State sources. [Vernon, 2619a.]

College of Mines and Metallurgy

The School of Mines and Metallurgy at El Paso shall be under the management and control of the Board of Regents of the State University, and the faculty of said school shall be appointed by the Board of Regents of The University of Texas, and such appointees shall hold their positions for a term of two years, and the same is hereby made and constituted a branch of the State University of Texas for instruction in the arts of mining and metallurgy as now provided for by law.

The principal purpose of said school shall be to teach such branches in mining and metallurgy as will give a thorough technical knowledge of mines and mining, and all subjects pertaining thereto, including physics and mining, engineering, mathematics, chemistry, geology, mineralogy, shop work and drawing, the technical knowledge and properties of mine gases, assaying, surveying, drafting of maps and plans, and such other subjects pertaining to mining engineering as may add to the safety and economical operation of mines within this State.

Said school shall have a separate and distinct faculty which shall have the power, under the direction of the Board of Regents, to confer degrees and issue diplomas and fix a standard of grades for all students attending said school, and to make such rules and regulations for the proper control and management of the school as they may deem necessary. Said school shall have regular courses leading to degrees, and such other special courses as the faculty may deem necessary. . . . [Vernon, 2633-2635.]

Branch for colored youth

The Legislature shall also when deemed practicable, establish and provide for the maintenance of a College or Branch University for the instruction of the colored youths of the State, to be located by a vote of the people; *provided*, that no tax shall be levied, and no money appropriated out of the general revenue, either for this purpose or for the establishment and erection of the buildings of The University of Texas. [Constitution, VII, 14.]

CHAPTER II

STATE ENDOWMENT (PERMANENT UNIVERSITY FUND)

Appropriations of 1858

Section 1. . . . There is hereby established, within this State, an Institution of learning, to be styled "The University of Texas," to be located at such place and in such manner as may be determined by law.

Sec. 2. The sum of one hundred thousand dollars of the United States bonds in the Treasury not otherwise appropriated, is hereby set apart and appropriated to the establishment and maintenance of

the same. The fifty leagues of land, which by the Act of January 26, 1839, entitled "An Act appropriating certain lands for the establishment of a general system of education," were set apart and appropriated for the establishment and endowment of two Colleges or Universities, are hereby set apart and appropriated to the establishment and maintenance of The University of Texas. . . . [Acts, 1858, Seventh Legislature, Regular Session, Chapter 116, page 148.]

Establishment of Permanent University Fund

In order to enable the Legislature to perform the duties set forth in the foregoing Section [10], it is hereby declared all lands and other property heretofore set apart and appropriated for the establishment and maintenance of The University of Texas, together with all the proceeds of sales of the same, heretofore made or hereafter to be made, and all grants, donations and appropriations that may hereafter be made by the State of Texas, or from any other source, except donations limited to specific purposes, shall constitute and become a Permanent University Fund. And the same as realized and received into the Treasury of the State (together with such sums belonging to the Fund, as may now be in the Treasury), shall be invested in bonds of the United States, the State of Texas, or counties of said State, or in School Bonds of municipalities, or in bonds of any city of this State, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments thereto; and the interest accruing thereon shall be subject to appropriation by the Legislature to accomplish the purpose declared in the foregoing Section; provided, that the one-tenth of the alternate Sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of The University of Texas, by an Act of the Legislature of February 11, 1858, entitled, "An Act to establish The University of Texas," shall not be included in, or constitute a part of the Permanent University Fund. [Constitution, VII, 11, as amended November 8, 1932.]

Sale of land

The land herein set apart to the University Fund shall be sold under such regulations, at such times, and on such terms as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of University lands, heretofore sold, or that may hereafter be sold, and shall in neither event have the power to grant relief to the purchasers. [Constitution, VII, 12.]

First million acres

In addition to the lands heretofore granted to The University of Texas, there is hereby set apart, and appropriated, for the endowment,

maintenance, and support of said University and its branches, one million acres of the unappropriated public domain of the State, to be designated, and surveyed as may be provided by law; and said lands shall be sold under the same regulations, and the proceeds invested in the same manner, as is provided for the sale and investment of the permanent University fund; and the Legislature shall not have power to grant any relief to the purchasers of said lands. [Constitution, VII, 15.]

Second million acres

. . . the remainder of said land not to exceed two million acres, or the proceeds thereof, shall one-half thereof constitute a permanent endowment fund for The University of Texas and its branches, including the branch for the instruction of colored youths. [Vernon, 5417.]

Taxation for county purposes

All land mentioned in Sections 11, 12, and 15 of Article VII, of the Constitution of the State of Texas, now belonging to The University of Texas shall be subject to the taxation for county purposes to the same extent as lands privately owned; provided they shall be rendered for taxation upon values fixed by the State Tax Board; and providing that the State shall remit annually to each of the counties in which said lands are located an amount equal to the tax imposed upon said land for county purposes. [Constitution, VII, 16a.]

Section 1. All the lands set apart for the endowment of The University of Texas by Section 15 of Article 7 of the Constitution of 1876, and by Chapter 72 of the Acts of the Regular Session of the 18th Legislature, which are now unsold, are hereby declared to be subject to taxation for county purposes in the counties in which they are located, to the same extent as lands privately owned in said counties.

Sec. 2. It shall be the duty of the Comptroller of Public Accounts, from records in his office, to submit to the State Tax Board data as to values fixed upon privately owned lands contiguous to The University of Texas lands in the several counties.

Sec. 3. It shall be the duty of the Commissioner of the General Land Office to furnish the State Tax Board with maps showing the location of said University of Texas lands, herein declared to be subject to taxation.

Sec. 4. It shall be the duty of the State Tax Board to place the valuation upon which said land shall be assessed and rendered for taxation. It shall further determine the taxable value of lands in each county separately. In arriving at its amount to be paid in taxes the value of the land only shall be considered, and not the value of any buildings or other improvements, owned by the State, and situated upon said land.

Sec. 5. The Tax Collector of each county which contains any of the land enumerated in Section 1, hereof, shall render to the Comptroller of Public Accounts by October 1 of each year a certified statement showing the values fixed by the State Tax Board upon said land, the county rate of taxation, and the amount due said county as taxes upon said land.

Sec. 6. It shall be the duty of the Comptroller of Public Accounts to issue warrants upon the General Fund to pay taxes due each county, beginning with taxes assessed for the year 1931, and annually thereafter; said warrants to be issued and mailed to the several counties within the time as now provided by law for the payment of county taxes on privately owned lands. [*Vernon, 7150c.*]

The following shall constitute a permanent fund to be used for the benefit of The University of Texas:

1. All lands and other property heretofore set apart and appropriated for the establishment and maintenance of The University of Texas under any previous law.
 2. One million acres of the unappropriated public domain of the State set apart for that purpose by the present Constitution, and one million acres of land set apart by Act of April 10, 1883.
 3. All bonds that have or may be purchased with the proceeds of the sale of University lands.

4. All proceeds of the sales of University lands that are or may be placed in the State Treasury.
 5. All grants, donations and appropriations that may be made or received from any other source. [*Vernon, 2590.*]

Use of Permanent Fund
 Such portions of such funds as are in the possession of the State or that may be received, shall be held in trust by the State for the use and maintenance of said University; and all such funds as are susceptible of investment, and that have not heretofore been invested, shall be invested for the benefit of such University in the manner provided in the Constitution and Laws on that subject. [*Vernon, 2591.*]

[An opinion of the Attorney General, May 20, 1926, holds that the Board of Regents has authority to invest the Permanent University Fund.]

Investment of Permanent Fund
 Section 1. The Board of Regents of The University of Texas is authorized to invest the Permanent Fund of The University of Texas in:
 1. Bonds of the State of Texas;
 2. Bonds of the United States;

3. Bonds of counties of the State of Texas; school bonds of municipalities of the State of Texas; bonds of cities in the State of Texas; obligations and pledges issued by the Board of Regents of The University of Texas, or secured by such obligations and pledges for the construction of dormitories and other buildings for The University of Texas, in accordance with the terms hereinafter set forth in this Act.

Sec. 2. No investment may be made in obligations or pledges of The University of Texas or of the Agricultural and Mechanical College of Texas, except to the amount and under the conditions hereinafter named, and this authority having been exercised, no additional bonds or pledges shall at any time be issued.

Sec. 3. Whenever the Board of Regents shall have purchased bonds of any city, county or municipality, approved by the Attorney General of Texas, the certificate of the Attorney General attesting their validity, shall be admitted and received as prima facie evidence of the validity of such bonds; in all cases where the proceeds of the sale of any such bonds have been received by the proper officers of any such city, municipality, or county, or by the party acting therefor in negotiating the sale thereof, such county, city, or municipality shall thereafter be estopped from denying the validity of such bonds so issued and the same shall be held to be valid and binding obligations. . . .

Sec. 4. Bonds of the University Permanent Fund may, at the discretion of the Board of Regents, be sold and the proceeds reinvested for the Permanent Fund under the terms of this Act. If any bonds are sold at a premium the amount received in excess of par shall be credited to the Available University Fund to repay premium on bonds heretofore purchased. In the case of any bonds bought under this Act premium or discount shall be distributed over the life of the bonds. [*Vernon, 2591a.*]

[Sections 5 and 6 of 2591a, under the Constitution of Texas, Art. VII, Sec. 11, as it read in 1931, authorized the University to borrow \$4,000,000 and the Agricultural and Mechanical College to borrow \$2,000,000 from the University Permanent Fund for the erection of permanent improvements. This borrowing was accomplished, and most of the loan has now been repaid.]

Easements across Public and University Lands

Section 1. The Commissioner of the General Land Office may execute grants of all easements for rights of way for telephone, telegraph, electric transmission and power lines, for oil pipe lines, gas pipe lines, sulphur pipe lines, and other electric and pipe lines of whatsoever nature, granted by this State, across all unsold Public Free School Land, and across all islands, salt water lakes, bays, inlets, marshes and reefs owned by the State within tidewater limits,

and across that portion of the Gulf of Mexico within the jurisdiction of Texas. The Board of Regents of The University of Texas may continue to execute, under authority heretofore granted, all right-of-way easements for telephone, telegraph, electric transmission and power lines, for oil pipe lines, gas pipe lines, sulphur pipe lines, and other electric and pipe lines of whatever nature, across lands belonging to the State, and dedicated to the support and maintenance of The University of Texas. The Board of Regents of the University may continue to execute, under authority heretofore granted, easements or leases for the erection and maintenance of electric substations, pumping stations, loading racks, and tank farms on University Lands, and the Commissioner of the General Land Office may execute easements or leases for electric substations, for pumping stations, loading racks and tank farms to be located on State Lands other than those owned by the University.

Sec. 2. All easements granted under Section 1 of this Act shall be on forms approved by the Attorney General.

Sec. 3. No right-of-way easement, electric substation, or tank farm, loading rack, or pumping station easement or lease of the character enumerated in Section 1 hereof may be granted for a longer term than ten (10) years, but any such easement may be renewed by the official or officials charged with the execution thereof, in his or their discretion.

Sec. 4. From and after the passage of this Act every person or corporation occupying or using any unsold Public Free School Land, any islands, salt water lakes, bays, inlets, marshes and reefs owned by the State within tidewater limits, any portion of the Gulf of Mexico within the jurisdiction of Texas, and any unsold public land dedicated to The University of Texas, or any part thereof, as a telephone, telegraph, electric transmission and/or power line right of way, as an oil and/or gas pipe line right of way, shall, as a condition to such further use or occupancy, pay annually in advance for such privileges, to the Commissioner of the General Land Office at the General Land Office in Austin, Texas, a sum equal to two and one-half (2½) cents per lineal rod per annum for each and every rod of telephone, telegraph, electric transmission and power line, oil pipe line and/or gas pipe line used, possessed, or maintained by any such person or corporation on any unsold Public Free School Land, on any islands, salt water lakes, bays, inlets, marshes and reefs owned by the State within tidewater limits, on any portion of the Gulf of Mexico within the jurisdiction of Texas, and on any public land dedicated to The University of Texas. This annual privilege fee shall be paid by all such persons and corporations on all oil pipe line, gas pipe lines, telephone, telegraph, electric transmission and/or power lines now existing and situated on public lands of the classes above mentioned which have not heretofore paid such fee. All

amounts due shall be paid annually unless the easement granted provides otherwise.

Sec. 5. Hereafter all telephone, telegraph, electric transmission, power lines, and/or all pipe line right-of-way easements shall be executed on terms to be fixed by the Land Commissioner and by the Board of Regents of The University of Texas, respectively, but no oil and/or gas pipe line right-of-way easement, telephone, telegraph, electric transmission and/or power line right-of-way easement shall be granted which does not provide for an annual privilege fee of not less than two and one-half (2½) cents per lineal rod per annum of oil and/or gas pipe line for which a right-of-way is sought. A higher fee may be fixed by contract between the officials named and any grantee of such easement.

Sec. 6. The rental to be charged for an easement or lease for electric substation sites, pumping stations, loading racks, and tank farms shall be such as shall be agreed upon between the lessee and the Board of Regents with respect to University Lands, and the Commissioner of the General Land Office with respect to other State Lands.

Sec. 7. All income received by the Land Commissioner under this Act from Public School Land shall be credited to the Available School Fund; all income received by the Land Commissioner under this Act from University Lands shall be credited to the Available University Fund, and all income received by the Land Commissioner under this Act from the other lands herein set out shall be credited to the General Revenue Fund.

Sec. 8. All past due payments under this Act shall bear interest at the rate of ten per centum (10%) per annum. In event the date of payment is not fixed by contract, or in event no written contract has been executed, all unpaid annual fees due shall bear interest at the rate of ten per centum (10%) calculated from the first day of January following the year for which such annual privilege fee was due.

Sec. 9. No person or corporation shall hereafter construct any telephone, telegraph, transmission and/or electric lines, pipe lines, electric substation, tank farm, loading rack, and/or pumping station of the kind and character enumerated in Section 1 hereof across or on any section or part of a section of land of the character enumerated in Section 1 hereof and owned by the State of Texas, nor shall any person or corporation owning or possessing any telephone, telegraph, transmission and/or electric lines, pipe line, electric substation, tank farm, loading rack, and/or pumping station of the kind and character enumerated in Section 1 hereof now lying and situated on or across any section or part of a section of land of the character enumerated in Section 1 hereof and owned by the State of Texas, who has not obtained a proper easement as herein provided for, continue in

possession of any such lands without obtaining from the Commissioner of the General Land Office, or the Board of Regents of The University of Texas, respectively, a grant of a right-of-way easement or other easement across or on such lands where such telephone, telegraph, transmission and/or electric lines, pipe line, electric substation, tank farm, loading rack, or pumping station is to be constructed. Any person or corporation violating this section of this Act shall be liable for a penalty of One Hundred Dollars (\$100) per day for each day of such violation, said penalty to be recovered by the Attorney General.

Sec. 10. The venue of all suits by the State arising out of this Act, or for violation of any provision of this Act, is hereby fixed in Travis County. [*Vernon, 6020a.*]

Surface leases in El Paso County

Section. 1. The Board of Regents of The University of Texas is hereby authorized in its discretion to issue surface leases to any University lands located in El Paso County, Texas, at a price to be fixed by the Board of Regents of The University of Texas, where said lands are desired by the Federal Government or El Paso County for use in any flood control, reclamation or park project. No surface lease shall be issued for a term exceeding ninety-nine (99) years, and no surface lease so issued shall interfere with the full development of the minerals in and under the lands covered by any surface lease issued under this Act. [*Vernon, 2603b-1.*]

CHAPTER III

ENDOWMENTS OTHER THAN STATE

Special fund may not be diverted

The Legislature shall not have power to borrow, or in any manner divert from its purpose any special fund that may, or ought to, come into the Treasury; and shall make it penal for any person or persons to borrow, withhold or in any manner to divert from its purpose any special fund, or any part thereof. [*Constitution, VIII, 7.*]

Donations permitted

Donations of property for the purpose of establishing or assisting in the establishment of a professorship or scholarship in the University or any of its branches, either temporarily or permanently, may be made and such donations will be governed by the following rules:

1. The legal title to the property shall be vested in a person or persons, body corporate, or the State of Texas, to be held in trust for said purpose under such directions, limitations and provisions as may be declared in writing in the donation not inconsistent with the objects and proper management of said institution or its branches.

2. The donor may declare and direct the manner in which the title to said property shall thereafter be transmitted from such trustee in continued succession, to be held and appropriated to the use aforesaid.

3. The donor may declare and direct the person or class of persons who shall receive the benefit of said donation and the manner of their selection.

4. Said declarations, directions and limitations shall not be inconsistent with the objects and proper management of said institution or its branches.

5. In case of failure to transmit the title to the property or to bestow its use in the manner as declared and directed in the donation, or should such uses, or either of them, become impracticable from the change of circumstances, the title to the property, unless otherwise expressly directed by the donor, shall vest in this State to be held in trust to carry into effect the purposes of the donation as nearly as may be practicable by such agencies as may be provided therefor.

6. The title to the property donated shall be received, and the trust conferred in the donation shall be assumed, subject to laws that may be passed and carried into effect from time to time which may be necessary to prevent the loss of or damage to, the property donated, or an abuse or neglect of the trust so as to defeat, materially change, or prevent the objects of the donation.

7. Copies of such donation shall be filed with the Board of Regents of the University or the branch to which the donation applies, which Board shall report the condition and management of the property and the manner in which the trust is being administered, as part of the matters reported pertaining to said institution. [*Vernon, 2595.*]

Special donations not a part of Permanent Fund

1. The donation, if accepted, will become a special fund for the use specified, and will not constitute a part of the general permanent University fund, as contemplated by our Constitution and Laws.

The permanent fund is that fund appropriated and donated by the State or by others for the general support and maintenance of the University, the interest upon which, when reduced to cash, is subject to appropriation by the Legislature for the general support, maintenance and direction of the University.

This fund is donated by Mr. Bryan for a particular purpose, and the interest thereon is not subject to appropriation by the Legislature for any other purpose. It cannot go into and become a part of the general permanent fund, but must, under the terms of the donation, remain distinct therefrom for a particular specified use. [Excerpts from an opinion of Attorney General M. M. Crane, May 11, 1898, *Report of the Attorney General, 1897-98, pages 106-8.*]

Release of inheritance taxes on Sealy Estate

Section 1. That the Sealy and Smith Foundation for the John Sealy Hospital, a charitable corporation, incorporated under the laws of this State, for the construction, remodeling, enlarging, equipping and furnishing of the John Sealy Hospital, the property of the State used for clinical purposes of the medical department of the State University, and other hospital building or buildings in the city of Galveston in connection with the John Sealy Hospital and the endowment thereof, for the use of the people of the said city of Galveston, by providing them with the necessary medical care and attention therein, the legatees under the will of and estate of John Sealy, deceased, and each of them, be and are hereby relieved and released from payment of taxes provided for in Chapter 5, Title 122, Revised Statutes of Texas, generally known as Inheritance Taxes, and the State Comptroller and the tax collector of Galveston County are hereby ordered and directed not to collect or attempt to collect such tax or taxes, which taxes if not so hereby released would be payable out of the part of his estate devised and bequeathed by said Sealy to said foundation, and provided, however, that the city of Galveston shall not thereby be released from any obligation in or under a certain lease of said John Sealy Hospital, executed by the Board of Regents of The University of Texas, with said city, dated the 9th day of May, 1913.

Sec. 2. Section 1 hereof shall become void unless the Sealy and Smith Foundation for the John Sealy Hospital shall within six months after the passage of this Act enter into an agreement with the Board of Regents of The University of Texas, a copy whereof certified as a correct copy by the president of The University of Texas shall be filed with the Secretary of State, whereby the Sealy and Smith Foundation for the John Sealy Hospital shall agree with said board of regents to segregate and set apart property, or the proceeds thereof, or cash, or partly property and partly cash, to be agreed to by and between said foundation and the said regents of a value equal to seven hundred thousand (\$700,000.00) dollars, the estimated amount of taxes released by Section 1 hereof and by which said foundation shall agree to keep such property separate from its other assets or property and to use the income therefrom under the direction and with the approval of said regents for said John Sealy Hospital, or any additions thereto or buildings to be used in connection therewith, or for any of the purposes specified in the will of said John Sealy. The sum hereby remitted shall perpetually be under the joint control of the Board of Regents of The University of Texas, and the Sealy and Smith Foundation to invest and re-invest the proceeds. [*Chapter 4, Special Laws, Thirty-ninth Legislature, First Called Session, 1926, pages 10, 11.*]

W. J. McDonald Astronomical Fund

Section 1. That the Board of Regents of The University of Texas, the estate of W. J. McDonald, deceased, and the executors and devisees named in the will of W. J. McDonald, deceased, each and all of them, be and they are hereby relieved and released from payment of and liability for such payments, or dues, commonly called inheritance taxes, as may or would otherwise be required under Chapter 5, Title 122, of the Revised Statutes of Texas, 1925, so far as such payments or dues have accrued or may accrue by reason or as a result of the residuary clause in the will of W. J. McDonald, deceased, dated the 8th day of May, A.D. 1925, which clause in general purports to devise and bequeath, as the W. J. McDonald Astronomical Fund, the residue of his estate to such Regents, in trust for the erection and equipping of an astronomical observatory for The University of Texas; and the State Comptroller and the tax collectors of the State are hereby ordered and directed not to collect or attempt to collect any such payments or dues. [*Chapter 149, General and Special Laws, Fortieth Legislature, Regular Session, 1927, page 221.*]

E. D. Farmer International Scholarship Fund

Section 1. That the Board of Regents of The University of Texas be, and they are hereby authorized to accept and hold in trust for the University such sums of money as may be paid to them by the Executor of the will of E. D. Farmer, deceased, of Parker County, Texas, for the purposes designated in Section 4 of this Act.

Sec. 2. That all inheritance taxes to be assessed against the estate and legatee of E. D. Farmer, deceased, be, and they are hereby appropriated to The University of Texas for the purposes shown in Section 4 of this Act.

Sec. 3. The Comptroller of Public Accounts is directed to appraise said estate forthwith, and certify to the Board of Regents the largest amount that might be assessed as inheritance taxes. Said amount may be paid directly to the Board of Regents of The University of Texas in cash or approved securities within the discretion of said Board of Regents, and upon such payment, any liability of said estate, the legatees and beneficiaries of the will of said E. D. Farmer, deceased, or the executor of said will, for inheritance taxes to the State of Texas is thereupon terminated. And the Board of Regents shall certify to the Tax Collector of Parker County that said taxes have been paid, and said certificate shall be then recorded by said Tax Collector, and shall operate as a release of the State's lien upon inheritance taxes.

Sec. 4. The moneys so paid in discharge of said tax liability shall constitute and be part of a special fund to be known as the "E. D. Farmer International Scholarship Fund." The fund shall be administered by the Board of Regents of The University of Texas, and they

are hereby created trustees thereof. The income from said fund shall be used by said Board for the purpose of providing scholarships in The University of Texas to students from the Republic of Mexico, and providing scholarships in the National University of Mexico to students of The University of Texas. Within the discretion of the Board of Regents of The University of Texas, a portion of said income may be used at any time to further the exchange of instructors between The University of Texas, and the said National University of Mexico. All such scholarships as may be provided by said income shall be competitive and the awards thereof shall be made in a manner to be determined by the Executor of the will of the said E. D. Farmer, deceased. [*Chapter 25, General and Special Laws, Forty-first Legislature, First Called Session, 1929, page 59.*]

CHAPTER IV

CAMPUS

Provision for campus

Section 12. That the said agent, before the sale of said lots, shall set apart a sufficient number of the most eligible for a Capitol, Arsenal, Magazine, University, Academy, Churches, Common Schools, Hospital, Penitentiary, and for all other necessary public buildings and purposes. [*Acts, Third Congress, The Republic of Texas, Regular Session, 1839, page 39.*]

[The original forty-acres campus of the Main University was an "outlot."]

Condemnation of lands for public use

Mode of acquisition. When any land shall be required by the State for any character of public use, the Governor is authorized to purchase said land, or the right to the use thereof, for such purpose; or, failing to agree with the owner on the price therefor, such land may be condemned for such public use in the name of this State. Upon the direction of the Governor, proceedings shall be instituted against the owner of the land by the Attorney General or under his direction by the district or county attorney. Should the award of damages in the opinion of the Governor be excessive, such award shall not be paid but the State shall pay the costs of the proceedings and no further action shall be taken. [*Vernon, 5240.*]

Greater campus

Section 1. The Governor of the State of Texas shall appoint a commission of three citizens of this State to act as a Board to negotiate for and purchase lands adjacent to the University campus, in the City of Austin herein described for the use of The University of Texas, the title of said land to be taken in the name of the Board of

Regents of The University of Texas, and their successors, and when the same is acquired, shall be subject to the management and control of the Board of Regents in the same manner and to the extent that the lands now held by The University of Texas, in the City of Austin, are held and controlled. The official name of said Board shall be "The University Land Acquisition Board," and said Board, when appointed, shall appoint its own presiding officer.

Sec. 2. The sum of One Million Three Hundred Fifty Thousand (\$1,350,000.00) Dollars is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to be expended by the Commission designated in Section 1 hereof for the purpose of paying for the lands acquired by the Commission under the terms of this Act; . . .

Sec. 3. The said Board shall purchase the following land: Beginning at the Southwest corner, Lot 1, Block 3, Whitis Avenue, in the City of Austin, Travis County, Texas, said point being in Division D, and being the intersection of the north line of Twenty-fourth Street with the East Line of Whitis Avenue; thence, northerly with the East line of Whitis Avenue to the Northwest corner of Lot 6, Block 4, in Division D, which is the intersection of the said line of Whitis Avenue and the South line of Houston Street; thence, easterly with the South line of Houston Street to the intersection of said line with Speedway Street; thence, across Speedway Street to the Northwest corner of Outlot 8, Division D; thence, with the North line of Outlot 8, Division D, to the center of Waller Creek, being the West line of Wesleyan College tract; thence, southerly with said creek and line to the south line of Twenty-fourth Street; thence, easterly with said south line of Twenty-fourth Street to the intersection of same with the west line of Red River Street. Thence, southerly with the said west line of Red River Street to the intersection of said line with the north line of Nineteenth Street to the intersection of same with east line of Speedway Street. Thence, northerly with the east line of Speedway Street to the Southwest corner of outlot 3, Division D. Thence, in a northwesterly direction to the southeast corner of the present University of Texas campus, being the corner of Twenty-first and Speedway; thence northerly with the west line of Speedway to the intersection of said line with the south line of Twenty-fourth Street. Thence, westerly with said South line of Twenty-fourth Street to a point directly south of the place of beginning; thence northerly to the place of beginning.

Sec. 4. There is excepted from the lands herein described all property which now belongs to The University of Texas, and such as is now occupied by religious, charitable or eleemosynary institutions.

Sec. 5. The Commission herein provided for shall require that each deed that it takes to any property described in this Act shall contain a clause by which the grantor or grantors in said deed consent that

the Board of Regents of The University of Texas may vacate, alter, change, take or abandon any street or alley or other public ground in any of the territory embraced in any of the tracts herein described without payment of further consideration to such grantor or grantors than the consideration recited in said deed; and that such grantor or grantors for said consideration waive and release all claims for damages, or claims of any other character, that they might otherwise assert because of such vacating, alterations, changing, taking or abandonment of such streets, alleys or other public places. The Commission and the Board of Regents of The University of Texas are hereby granted the right to vacate, alter, change, take or abandon any street, alley or other public dedication in any of the territory herein described; and the right to acquire said privilege by condemnation proceedings, of the character, and by the procedure, hereinafter mentioned, whenever the Commission fails to acquire such rights by voluntary deeds of grantors as hereinabove provided for. It shall not be necessary for the Commission or said Board of Regents to obtain the consent of the City of Austin or any other public authority as a prerequisite for such action.

Sec. 6. The Commission herein provided for shall take deeds in fee to each and every lot, block, piece or parcel purchased by them, said deed to be in the name of the Board of Regents of The University of Texas and their successors in office, for the use and benefit of The University of Texas and the State of Texas, and said deed shall convey the title to the land described and any easement or right that the grantor may have in any abutting street or alley. The Commission shall purchase such land upon agreement directly between them and the different owners and at the lowest price possible to be agreed upon between the Commission and the owners, and if the purchase price of any lot or parcel of land cannot be agreed upon they are hereby authorized and empowered and it shall be their duty to institute condemnation proceedings in the name of the State of Texas for the use of The University of Texas for such land, and shall proceed with said condemnation in the manner provided by law in the exercise of the power of eminent domain by railroad companies in acquiring right of ways and such power of eminent domain is hereby given said Board of Regents. The Commission is hereby authorized and empowered to contract for the property described in the tracts of land herein and after the title of said property is acquired the disposition of the improvements of said property shall vest in and be subject to the control of the Board of Regents and their successors, and they shall hold said lands and improvements thereon with the same authority and extent as the present lands in the City of Austin used and occupied and controlled by The University of Texas are held. In the event that any of the property with improvement cannot be purchased at a reasonable price

in the opinion of the Commission, the Commission is authorized to purchase said property without the improvements. Upon the acquisition of the lands above described by the Board of Commissioners herein created, and the delivery of the same to the Board of Regents, the said Board of Regents and their successors shall have the right to lease the buildings and improvements situated upon the land acquired for such sum and for such period of time as in their judgment is best and the revenues derived therefrom shall be deposited and become a building fund and shall be expended for no purpose other than to construct permanent buildings to be used for the purposes of the University. It is expressly provided, however, that no lease of any of said property shall be for a longer term than five years. The Board of Regents is hereby expressly empowered to dismantle, tear down and dispose of, or remove any and all improvements from such land as may be acquired under the provisions of this Act. [*Chapter 137, General Laws, Thirty-seventh Legislature, Regular Session, 1921, pages 266-269.*]

“ . . . The title to the property near the intersection of Nineteenth Street and East Avenue in the city of Austin, Travis County, Texas, consisting of Outlots Nos. Sixty-four (64) and Seventy-one (71) of Division “E” of said city of Austin, Travis County, Texas, and being the property formerly occupied by the State Blind Institute, including all improvements, excepting therefrom all furnishings, fixtures and equipment therein and thereon situated, is hereby vested in The University of Texas in fee simple, . . . [*Chapter 182, General Laws, Thirty-ninth Legislature, Regular Session, 1925, pages 451-452.*]

[See also *Investment of Permanent Fund*, p. 20, Vernon, 2591a, Sections 1, 2, 3, and 4.]

McDonald Observatory Site

Whenever the Board of Regents of The University of Texas shall have been made trustees by a will, instrument in writing or otherwise of a trust for a scientific, educational, philanthropic or charitable purpose, or other trust for a public purpose, that they may act by a quorum of the Board or a majority of all members; unless otherwise directed by the terms of the will or instrument, as such trustees they may exercise for the purposes of the trust the power of eminent domain, and may condemn land and other property as provided in this chapter; the power already existing of condemnation for University purposes is not affected hereby. [*Vernon, 3264b.*]

[The McDonald Observatory site on Mount Locke in Jeff Davis County was donated by Mrs. Violet Locke McIvor (two hundred acres). Two hundred acres adjoining this tract were given to the University by Mr. N. Mersfelder, Trustee of the Texas and St. Louis Railway Company, joined by Mr. E. H. Fowlkes.]

Authorizing acceptance of land (Cotton Estate Property)

Section 1. The provisions of this Act shall apply to the University and to branches thereof, which branches may be situated in any city in the State of Texas having a population of not less than one hundred thousand and not more than one hundred and fifty thousand according to the last Federal Census.

Sec. 2. When the owners of any real estate situated in this State have not paid the taxes thereon for a period of three years and donate such land to the Board of Regents of The University of Texas for the use of the said University or any branch of the said University that may be designated by such donor, the said land may be accepted by the said Board of Regents upon the following terms, to be evidenced by a resolution by said Board of Regents, to-wit:

First: The said lands must be assessed for taxation at least three times the amount of taxes due thereon.

Second: The said lands and the proceeds thereof shall be applied exclusively to the uses of the beneficiary school as a State owned and operated institution of higher education.

Third: Upon the commissioners' court of the county in which the lands, so donated, are situated, certifying to the Board of Regents its approval of such acceptance; and that the advantages to the people from accepting the donation exceed the benefit that would be derived from the sale of said lands at tax sale or under decree of court.

Fourth: Upon city council of the city or town, if said lands be located within the limits of an incorporated city or town, extending to the Board of Regents a certificate similar to the one herein required of commissioners' courts.

Fifth: The said lands, so accepted, shall be used exclusively for the University or the branch thereof as designated by the donor and shall be sold at such time, and under such conditions, and for such amounts as in the judgment of the Board of Regents are for the best interest of the beneficiary school. While held by the Board of Regents they may be leased or rented as to the said Board seems best; and while so held, shall not be liable for any tax and no claim therefor shall be asserted against the said Board nor the lands so accepted, nor shall any action be instituted to compel payment of any tax during the time the said lands, or the proceeds thereof, are held by the Board of Regents for the use and benefit of The University of Texas or the beneficiary college. [Vernon, 2595a.]

CHAPTER V**SUPPORT****Taxation permitted for support of University**

The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the

economical administration of the government, in which may be included the following purposes:

The support of public schools, in which shall be included colleges and universities established by the state; and the maintenance and support of the Agricultural and Mechanical College of Texas; . . . [Constitution, III, 48]

Legislature to provide for support

The Legislature shall as soon as practicable establish, organize and provide for the maintenance, support and direction of a University of the first class, to be located by a vote of the people of this State, and styled, "The University of Texas," for the promotion of literature, and the arts and sciences, including an Agricultural and Mechanical department. [Constitution, VII, 10.]

May not create debt

No debt shall be created by or on behalf of the state, except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the state in war, or pay existing debt; and the debt created to supply deficiencies in the revenue shall never exceed, in the aggregate at any one time, two hundred thousand dollars. [Constitution, III, 49.]

Appropriations limited to two years

No money shall be drawn from the treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than two years, except by the first legislature to assemble under this constitution, which may make the necessary appropriations to carry on the government until the assembling of the sixteenth legislature. [Constitution, VIII, 6.]

Loan to Available Fund

As a loan to the available fund of The University of Texas, to be placed to the credit of said fund out of the indemnity fund now in the State treasury, and to be repaid to the State out of the revenues of the University on or before January 1, 1910, without interest—\$125,000.00.

Of which the sum of \$50,000 is hereby appropriated and set apart to be used in the construction of buildings for the Medical Branch of the University of Texas, at the City of Galveston. *Provided*, That the said City of Galveston shall donate to The University of Texas, Block No. 668 in said city, to be used for the Medical Branch of said institution; and *Provided, further*, That the executors of the estate of John Sealy, deceased, shall agree to construct on said block at a cost of not less than \$50,000, a medical hospital, which, when completed, is to be donated to the Medical Branch of the University of

Texas, and to be under the control of the Board of Regents of said University; *Provided, further*, That this loan shall be in full payment and satisfaction of all claims of The University of Texas against the State of Texas for moneys drawn from the University fund by said State. [*Chapter 20, Acts, Twentieth Legislature, Called Session, 1883, page 19.*]

Report of expenditures

No appropriation for private or individual purposes shall be made. A regular statement, under oath, and an account of the receipts and expenditures of all public money, shall be published annually, in such manner as shall be prescribed by law. [*Constitution, XVI, 6.*]

Available Fund expenditures

. . . All proceeds paid or collected from activities under this law affecting the lands belonging to the Permanent Fund of The University of Texas [except such funds as are required by the Constitution to be credited to the Permanent University Fund] shall be credited by the State Treasurer to the available fund of such institution; provided that all such funds shall be held by the Board of Regents of the University in a special building fund and shall be expended only for the erection of buildings and equipping same, or for other permanent improvements. . . . [*Vernon, 5347.*]

Division of Available Fund

The Board of Regents of The University of Texas and the Board of Directors of the Agricultural and Mechanical College of Texas shall, with the approval of the Legislature, expend the Available University Fund for the construction of buildings on the campuses of their respective institutions and for the extension and improvement of their campuses and for the equipment of buildings thereon in the proportions and amounts hereinafter indicated; and to pay interest and principal sufficient to retire any obligations which may be incurred by virtue of any pledges made by the respective institutions as herein provided; and the Board of Regents of the University of Texas shall expend of such Available University Fund so much thereof as may be appropriated by the Legislature for the administration of the University Lands and of the University Permanent Fund, such expenses to be apportioned between the two institutions in proportion to their receipts of Available University Funds under the terms of this Act. For the years beginning September 1, 1931, September 1, 1932, September 1, 1933, the sum of two hundred thousand (\$200,000.00) dollars net shall accrue for each of said years of said Available University Fund to the Agricultural and Mechanical College of Texas and shall be expended by the Board of Directors of that institution for said Agricultural and Mechanical College purposes, and the Board of Regents of the University of Texas shall expend the balance of said Available Fund for said University of Texas purposes.

Beginning September 1, 1934, the Board of Directors of the Agricultural and Mechanical College of Texas shall so expend one-third of all the Available University Fund received from the Permanent University Fund arising from the 1,000,000 acres of land appropriated by the Constitution of 1876 and the land appropriated by the Act of 1883, except income from grazing leases on University lands [less its proportion of expenses of administration and excluding any expenses of administration from grazing leases], and the Board of Regents of The University of Texas shall so expend the balance of said Available Fund, including all the income from grazing leases on University lands [less its proportion of expenses of administration.]

The Board of Directors of the Agricultural and Mechanical College of Texas shall have the right to pledge that part of the Available University Fund hereby placed at its command, and the Board of Regents of The University of Texas shall have the right to pledge that part of the Available University Fund placed at its command for not exceeding fifteen years to make the said funds immediately available. Any contract for expenditures of said interests and income for any purpose other than those named shall be void. No surface lease of said lands shall be made for a period of more than ten years. [*Vernon, 2592.*]

Tuition in State educational institutions

Section 1. No State educational institution shall collect from the students thereof any tuition, fee or charge of any kind whatever except as permitted by this Act, and no student shall be refused admission to or discharged from any such institution for the non-payment of any tuition, fee or charge except as permitted in this Act.

Sec. 2. Any such educational institution may collect from each student a matriculation fee of not to exceed thirty (\$30) dollars for any term of nine months, and laboratory charges to cover actual laboratory materials and supplies used by such student not to exceed in any event four (\$4.00) dollars for any one year from any one student in any one laboratory course. Matriculation fees for any six weeks may not exceed five dollars, or for any ten weeks term, not to exceed ten dollars. Provided, however, said educational institutions may collect reasonable deposits from students each year to insure said institutions against losses, breakage, etc., in libraries and laboratories, said deposits to be returned at the end of each school year minus such damage, loss or breakage as may have been done by each individual student who has put up a deposit.

Sec. 3. The words "State educational institutions" as used in this Act shall include the following and any branch thereof: The University of Texas; the Agricultural and Mechanical College of Texas; the various State teachers' colleges of Texas; the College of Industrial Arts of Texas; the John Tarleton Agricultural College of Texas; the North Texas Agricultural College; the Prairie View State Normal

and Industrial College; the Texas Technological College; and any other State educational institutions either heretofore provided for or hereafter to be provided for under the laws of this State.

Sec. 4. Nothing in this Act shall prevent the collection of fees or charges voluntarily paid by the students to cover the expense of student activities; provided, however, that the same shall never be made compulsory or required by the educational institution as a condition precedent to a student entering or continuing at said institution. [Vernon, 2654a.]

Tuition rates (Revised)

Section 1. The governing boards of the several institutions of collegiate rank supported in whole or in part by public funds appropriated from the State Treasury shall cause to be collected from students registering in the said schools after September 1, 1933, tuition at the following rates:

1. From each resident student, who registers for twelve (12) or more semester hours of work per semester of four and one-half (4½) months, Twenty-five Dollars (\$25.00) per semester; or, who registers for twelve (12) or more term hours of work per term of three (3) months, Sixteen Dollars and Sixty-seven Cents (\$16.67) per term.

2. From each non-resident student, who registers for twelve (12) or more semester or term hours of work an amount equivalent to the amount charged students from Texas by similar schools in the State of which the said non-resident student shall be a resident, said amount to be determined and fixed by the governing boards of the several institutions in which said students may register, but in no event shall such amount be less than that charged to students resident in Texas. Provided, however, that if this paragraph shall be held to be unconstitutional or void from any cause, there shall be collected from each non-resident student the sum of One Hundred Dollars (\$100.00) for each semester or Sixty-six Dollars and Sixty-seven Cents (\$66.67) for each term. A non-resident student is hereby defined to be a student of less than twenty-one (21) years of age, living away from his family and whose family resides in another State, or whose family has resided within this State for a period of time less than twelve (12) months prior to the date of registration, or a student of twenty-one (21) years of age or over who resides out of the State or who has resided within the State for a period of less than twelve (12) months prior to the date of registration.

3. From each resident or non-resident student who registers for less than twelve (12) semester or term hours of work, a sum proportionately less than that hereinabove prescribed therefor, provided each student registered shall pay no less than Seven Dollars and Fifty Cents (\$7.50) per semester nor less than Five Dollars (\$5.00) per term.

4. From each student registering for a summer session, such amount as shall be fixed by the governing board of such institution, but in no event less than Twenty Dollars (\$20.00) for a twelve (12) weeks term nor more than Thirty-five Dollars (\$35.00) for a twelve (12) weeks term.

4a. From each student registering for courses in the Departments of Arts, Drama or Speech, and Music, an amount shall be collected as special tuition, in addition to that now provided for by law, for courses in such Departments designated by the Governing Board of said institutions; but in no event shall this special tuition be more than Seventy-five (\$75.00) Dollars per course for each semester or summer session.

5. The foregoing provisions, requiring the governing boards to collect tuition, shall not be interpreted as depriving the said boards of the right to collect such library, laboratory, and other fees as they are now permitted by law to collect.

6. Officers, enlisted men, selectees or draftees of the Army, Army Reserve, National Guard, Navy, Naval Reserve, or the Marine Corps of the United States, who are stationed in Texas by assignment to duty within the borders of this State, shall be permitted to enroll their children in State institutions of higher learning by paying the tuition fees and other fees or charges provided for regular residents of the State of Texas, without regard to the length of time such officers, enlisted men, selectees or draftees have been stationed on active duty within the State.

Sec. 2. All tuition, local funds and fees collected by such institutions shall be retained and expended by such institutions and accounted for annually as provided in the General Appropriation Bill. Provided that laboratory fees or charges shall only cover actual materials and supplies used by a student. [Vernon, 2654c.]

Compulsory group hospitalization fee

Section 1. The Board of Regents of The University of Texas is specifically authorized to build, equip, operate, and maintain a hospital, under the provisions of Chapter 5, Acts, Second Called Session, Forty-third Legislature, as amended, and to levy and collect a compulsory group hospitalization fee from each student as a prerequisite to registration in The University of Texas, not to exceed Four Dollars (\$4) for any one semester or for any one summer session. Such fee shall be in lieu of any and all other charges for hospitalization. Rules and regulations governing the operation of said hospital and the rights and privileges of students with respect to hospitalization shall be promulgated by the Board of Regents of The University of Texas. [Vernon, 2589c.]

Exemptions from tuition fees

Section 1. The governing boards of the several institutions of collegiate rank, supported in whole or in part by public funds appropriated from the State Treasury, are hereby authorized and directed to except and exempt all citizens of Texas, who have resided in Texas for a period of not less than twelve (12) months prior to the date of registration, and who served during the Spanish-American and/or during the World War as nurses or in the armed forces of the United States during the World War, and who are honorably discharged therefrom, from the payment of all dues, fees and charges whatsoever, including fees for correspondence courses; provided, however, that the foregoing exemption shall not be construed to apply to deposits, such as library, or laboratory deposits, which may be required in the nature of a security for the return of or proper care of property loaned for the use of students, nor to any fees or charges for lodging, board or clothing. The governing boards of said institutions may and it shall be their duty to require every applicant claiming the benefit of the above exemption to submit satisfactory evidence that the applicant is a citizen of Texas and is otherwise entitled to said exemption. The provisions of this Section shall apply to those students who are herein exempted that have already registered and paid their fees or tuition for the 1933-34 school term, and the governing boards of such institutions are hereby authorized and directed to refund such fees to any student who has already paid such fees or tuition for the 1933-34 school term.

Sec. 2. The governing boards of said institutions of collegiate rank are hereby authorized to issue scholarships each year to the highest ranking graduate of accredited high schools of this State, exempting said graduates from the payment of all dues, fees and charges whatsoever; provided, however, that said exemptions shall not apply to library or laboratory or similar deposits, nor to fees or charges for lodging, board or clothing. Such exemptions shall be granted subject to such limitations and restrictions as may be prescribed by the governing board of each of said institutions. Promises heretofore made by State educational institutions with reference to scholarships shall not be invalidated by H. B. 322, Chapter 196, General Laws of the Regular Session of the Forty-third Legislature and providing that those students who as holders of scholarships granted prior to the passage of H. B. 322, Chapter 196, General Laws of the Regular Session of the Forty-third Legislature who upon entering any of the State educational institutions are required to pay fees in accordance with the above mentioned Act shall be refunded those fees paid and that those scholarships affected shall continue to be valid so long as the students may desire to use them for the purposes for which they were granted or until such students shall have completed a four-year course in such institution.

Sec. 3. All of the above and foregoing provisions, conditions and benefits hereinabove in this Article provided for in Section 1 and in Section 2 shall apply and accrue to the benefit of all nurses, members of the Women's Army Auxiliary Corps, Women's Auxiliary Volunteer Emergency Service, and all members of the United States armed forces, regardless of whether members of the United States Army or of the United States Navy or the United States Coast Guard, who have, or are now serving, or who may after the passage of this Act, serve in the armed forces of the United States of America during the present World War Number II, being the war now being prosecuted, and which was entered into on or shortly after December 7, 1941, by the United States of America against what are commonly known as the Axis Powers; provided, further, that all the above and foregoing persons named have been honorably discharged from the services in which they were engaged. And, provided further, that the benefits and provisions of this Act shall also apply and inure to the benefit of the children of members of the United States Armed Forces, where such members were killed in action or died while in the service. The provisions of this Act shall not apply to or include any member of such United States Armed Forces, or other persons hereinabove named, who were discharged from the service in which they were engaged because of being over the age of thirty-eight (38) years or because of a personal request on the part of such person to be discharged from such service. [*Vernon, 2654b-1.*]

Student exchange between American Republics

The governing boards of the several institutions of collegiate rank, supported in whole or in part by public funds appropriated from the State Treasury, are hereby authorized and directed to except and exempt five (5) native born students annually from each of the other nations of the American continents from the payment of tuition fees; provided that every applicant claiming the benefit authorized herein shall furnish satisfactory evidence, certified by the proper authority of his native country, that he is a bona fide citizen and resident of the country which certifies his application, and that he is scholastically qualified for admission; provided further that the total number of students entitled to the benefits provided herein shall never exceed one hundred (100) annually; and provided further that the State Board of Education, in coöperation with representatives of the governing boards of the state institutions of higher learning, shall formulate and prescribe a plan for the admission and distribution of all applicants desiring to qualify under the provisions of this Act.

No student shall be allowed to take advantage of this Act who is not a native born citizen of the country certifying his qualifications for receiving the privileges authorized by this Act and who has not lived in one of the nations of the American continents for a period of at least five (5) years. [*Vernon, 2654e.*]

Control of funds

Section 1. The governing boards of the Agricultural and Mechanical College of Texas, including the State Agricultural Experiment Station System and the Extension Service and Rodent Control Service, the Texas Forest Service, North Texas Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, The University of Texas, including all branches of the University and the College of Mines and Metallurgy at El Paso, College of Industrial Arts, Texas College of Arts and Industries, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College at Nacogdoches, Southwest Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine, and the West Texas State Teachers College at Canyon, may retain control respectively of the following sums of money collected at each of said several institutions in carrying out the functions of an educational institution, such as funds collected from student fees of all kinds; charges for use of rooms and dormitories; receipts from meals, cafes and cafeterias; fees on deposit refundable to students under certain conditions; receipts from school athletic activities; income from student publications or other student activities; receipts from sale of publication products and miscellaneous supplies and equipment; students' voluntary deposits of money with said schools for safe keeping; all other fees and local institutional income of a strictly local nature arising out of and by virtue of the educational activities, or research or demonstration carried on by each and all of said several schools.

Sec. 2. The governing boards of the respective institutions named in Section One above are authorized to select depository banks as places of deposit of all funds of the kind and character named in Section One, which are collected by said institutions, and said boards shall require adequate surety bonds or securities to be posted to secure said deposits, and may require additional security at any time any of said boards deem any said deposit inadequately secured. All funds of the character named in Section One hereof, which are so collected shall be deposited in said depository bank or banks within five days from the date of collection. Depository banks so selected are hereby authorized to pledge their securities to protect such funds. All depositories so designated shall pay interest on said deposits at a rate to be agreed upon by said depositories and said governing boards. Any surety bond furnished under the provisions of this Act shall be payable to the Governor of the State and his successors in office, and venue of suit to recover any amount claimed by the State to be due on any of said bonds is hereby fixed in Travis County, Texas.

Sec. 3. Separate accounts shall be kept on the books of the respective institutions showing the sources of all sums collected, and the

purposes for which expended. All trust funds handled by the governing bodies of such institutions shall be deposited in separate accounts and shall not be commingled with the general income from student fees or other local institutional income, and all such trust funds shall be secured by separate bonds or securities.

Sec. 4. True and full accounts shall be kept by the governing boards and by the employees of the said several institutions hereinabove mentioned of all funds collected from all sources by said institutions, and all the sums paid out by said several institutions and the persons to whom and the purposes for which said sums are paid, and the governing board of each of said institutions named shall biennially, and more often, if the governing board of any of said institutions shall so order, print a complete report of all sums collected, all expenditures, and of the sums remaining on hand; said report to be printed in even numbered years after the first day of September and before the first day of the following January, and shall show the true condition of all of said funds as of the 31st day of August preceding, and shall show all collections and expenditures for the preceding two years. The governing board of each of said several institutions, shall, upon the printing of said report, furnish copies thereof to the Governor, State Treasurer, State Comptroller of Public Accounts, State Auditor, Attorney General, not less than three copies to the Board of Control, and shall, within a week after the selection of said committee, furnish a copy of each of said reports for the preceding biennium to each member of the House Appropriations Committee, the Senate Finance Committee, and the House and Senate Committees on Education of each Regular Biennial Session of the Legislature of Texas.

Sec. 5. The provisions of this Act shall not apply to any income derived from the Permanent Fund of The University of Texas, but all income derived from the Permanent Fund of The University of Texas and all income from the two million acres of land set apart to The University of Texas by the constitution and by the Act of 1883, shall be deposited in the State Treasury and paid out on Comptroller's warrants as is now provided by law. All income to the Available University Fund shall be deposited with the State Treasurer within five days after receipt thereof by any State officer, agent or employee and shall be expended in accordance with Chapter 42, General Laws, Regular Session, Forty-second Legislature, 1931.

Sec. 6. The provisions of this Act shall apply only to the funds hereinabove specifically enumerated and other local institutional income or donations or gifts to said schools.

Sec. 7. Any State officer, agent, employee or member of a governing board of any of the above named institutions, or any other person who violates any provision of this Act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty

(\$50.00) dollars, nor more than five hundred (\$500.00) dollars, and in addition, may be sentenced to not less than fifteen (15) days nor more than three (3) months in the county jail. Failure to print and furnish to the officers above named, the reports above specified, shall subject all of the members of the governing board of the institutions above mentioned to the penalties provided for in this section of the Act. Every day in excess of the number of days hereinabove provided for that any sum of money belonging to any of the funds enumerated in this Act, whether depositable in special depositories or whether those that should be deposited in the State Treasury, shall be withheld from deposit at its proper place of deposit, shall constitute a separate offense and each day of such withholding shall subject the officer, agent, employee or person so withholding said sum to the penalties herein provided for.

Sec. 8. If any section, part or sentence of this Act shall be held unconstitutional, such holding shall not affect the remaining portions of this Act, and it is hereby declared that the Legislature would have enacted that part which is constitutional without having enacted the unconstitutional part, if any; and provided that all laws, or parts of laws, in conflict herewith, or contrary to this Act, be and they are hereby repealed.

Sec. 8a. No part of any of these funds shall ever be used to increase any salary beyond the sum fixed by the Legislature in the appropriations bill, and this law shall be subordinate and subservient to the biennial appropriation bills for the support of the several institutions herein mentioned. [*Vernon, 265 Id.*]

Biennial Legislative appropriations

The head of each department, school, institution, and of the prison system, and the head of any of the divisions or departments of government for which appropriations are made by the Legislature, shall submit to the State Board of Control, not later than October 15th of each year preceding the regular biennial session of the Legislature, an itemized account of all items of expenses for the preceding two years, and an estimate of the appropriations required by such department, school or institution or by the prison system for the regular biennial appropriation made by the Legislature which estimate shall be submitted, itemized in such manner as the Governor may require. [*Vernon, 688.*]

The Board of Control shall inspect the properties, equipment and facilities of the various agencies of the government for which appropriations are to be made either before or after such estimates are submitted, and consider the same and give hearings on estimates of those who have submitted the same, and shall obtain information from every available source including the reports from its auditors and examiners. After such hearings, the Board shall make up an appropriation budget, said budget shall be completed

by the Board of Control and transmitted to the Governor not later than November 1st of the year immediately preceding the meeting of the regular biennial session of the Legislature. The Board of Control shall so prepare the budget as to show the expenditures on the same lines with the appropriated amounts for the respective items, and in such form and with such other itemization as the Governor may prescribe. The list of appropriations shall be shown for the three (3) years preceding the years for which appropriations are sought and recommended for the ensuing biennium, and the expenditures shall be shown for the first two (2) of the last above mentioned years. The budget shall also show the amounts requested by the various agencies of the government and the amounts recommended by the Board of Control for each of the years of the ensuing biennium and a blank space shall be left opposite each recommendation of the Board of Control wherein the Governor shall insert the amount which he recommends for each item contained in the budget. The Governor and the Governor-elect shall have the right to sit with the Board of Control on any and all of its budget hearings, and all hearings held by the Board of Control while considering budget for the various departments, institutions and agencies of the State Government shall be open to the public. [*Vernon, 689.*]

The Governor is hereby made the chief budget officer of the State. [*Vernon, 689a—1.*]

The State Board of Control is hereby authorized and directed to prepare all forms and blanks upon which requests for appropriations from the Legislature shall be prepared; provided that before such forms and plans are put into use they must be approved by the Governor; and provided further that when so approved, the State Board of Control shall furnish the proper forms to all those divisions, departments, officers, boards, commissions and agencies of every character of the State Government which are seeking appropriations from the Legislature; and the State Board of Control shall require that all requests for appropriations be submitted on the approved forms. [*Vernon, 689a—2.*]

On or before the 1st day of October of the year immediately preceding the regular biennial session of the Legislature, the State Auditor shall secure, compile and submit to the Governor a report containing the following information:

(1) An itemized, complete, financial balance sheet for the State at the close of the preceding fiscal year.

(2) An estimate of the maximum amount of revenue which may become available for appropriation by the Legislature during the ensuing biennium for which appropriations are to be made, the purpose of said statement from the State Auditor being to place in the hands of the Governor the maximum amount of revenue which the State could collect during each of the ensuing appropriation years, from all sources, under existing tax laws.

(3) The State Auditor and the heads of any other agencies of government, shall also furnish to the Governor such other information as the Governor may request.

(4) All agencies of the government, for which appropriations are made, shall keep their records in such a manner that immediately upon the close of the fiscal year they can list the amounts of all the contracts for purchases which they have made, but which remain unpaid at the close of the fiscal year; and such agencies shall accurately list in the expenditure columns of the budget sheets supplied them the combined total of their expenditures and the amounts of these unpaid purchase contracts of each of the items for which appropriations were made. [Vernon, 689a—3.]

Upon the receipt of the preliminary budget prepared by the State Board of Control to cover various State departments and institutions the Governor shall proceed to give personal consideration to such budget, and the Governor may, if he so desires, hold additional public hearings on any and all estimates to be included in the budget. At all such hearings, heads of departments, institutions or other agencies of the government seeking appropriations may appear, and if so desired, the Governor shall have the right to require them to appear to give further information concerning requested appropriations; and any taxpayer shall have the right to be present at any and all such public hearings and to participate in the discussion concerning any item proposed to be included in the budget under consideration. The Governor shall preside and conduct all such hearings, or if unable for any reason to conduct such hearings, the Governor may authorize the Chairman of the State Board of Control to preside at such hearing and represent him. [Vernon, 689a—4.]

Based on information submitted to the Governor in the preliminary budget prepared by the Board of Control and on such other information as the Governor may have secured through public hearings and reports from the State Auditor, and from other sources, the Governor shall proceed to enter in the columns reserved for that purpose on said preliminary budget his own recommendation on each proposed item of said budget. The Governor's recommendation on each item in said budget shall represent his own conclusion and judgment as to the amount which should be appropriated for each of said items, and if the Governor believes that an item should be entirely eliminated he will so indicate by leaving the column blank opposite the recommendation of the Board of Control. When the Governor has completed his examination of and recommendations concerning the budget he shall return it to the Board of Control, and the Board of Control shall, on or before December 15th of the year immediately preceding the regular biennial session of the Legislature, mail to each person who will be a member of the next Legislature, to the heads of each department, institution, or other agency included in such budget, a copy of the budget as prepared, including the amounts recommended

for each item contained in said budget by the Board of Control and also the amounts recommended by the Governor. The Board of Control shall also cause to be printed such extra copies of the budget as in their judgment are necessary for public distribution. [Vernon, 689a—5.]

Within five (5) days after the beginning of each regular session of the Texas Legislature, the Board of Control shall transmit to all members of the Legislature printed copies of the budget and the Appropriations Committee in the House and the Finance Committee in the Senate, may if they so desire, begin preliminary committee hearings on the budget without waiting for the submission of the budget bills. [Vernon, 689a—6.]

Within thirty (30) days after the beginning of each regular session of the Texas Legislature the Governor shall prepare and submit printed copies of budget bills of appropriation to the Speaker of the House of Representatives, to the Lieutenant Governor and to each member of the House and Senate, provided that in years when a newly elected Governor other than the then Governor is to be inaugurated that the budget bill of appropriations shall be prepared by the incoming Governor and shall be transmitted to the Legislature within twenty (20) days from the date he takes the oath of office. In carrying out the provisions of this section the Governor shall submit to all members of the Legislature five (5) separate budget bills as follows:

(a) Eleemosynary appropriation bill which shall include all appropriations which the Governor desires to recommend for the eleemosynary institutions of the State for the ensuing biennium;

(b) Departmental appropriation bill, which shall include all appropriations which the Governor desires to recommend for all departments of the State government for the ensuing biennium;

(c) Educational appropriation bill which shall include all appropriations for all educational institutions of the State which the Governor desires to recommend for the ensuing biennium;

(d) Judiciary appropriation bill which shall include all appropriations which the Governor desires to recommend for the judiciary for the ensuing biennium;

(e) Deficiency and emergency appropriation bill which bill shall include all appropriations which the Governor desires to recommend that the Legislature make as emergency and deficiency appropriations.

In preparing the above referred to appropriation bills the Governor shall itemize all appropriations included in said bills in the same manner as provided for in the budget.

All of said budget bills referred to above shall be transmitted to the Legislature at the same time, and when so transmitted the Governor shall accompany these bills with a special budget message, which message shall show the current assets, liabilities, surplus or deficit of the State at the close of the last preceding fiscal year, as

well as the total amount of money which may reasonably be expected to be available from all sources under existing tax laws to meet legislative appropriation during the current year and the ensuing biennium. The above referred to message from the Governor shall be submitted in printed form and a copy of said message furnished to each member of the Legislature.

Upon receipt of the budget bills from the Governor, the Lieutenant-Governor in the Senate and the Speaker in the House may, if they so desire, cause such bill to be introduced in the Senate and in the House of Representatives; or the Budget Bill may be introduced by any member of the House or the Senate, and hearing on the budget bill shall be conducted before the Appropriation Committee of the House and the Finance Committee of the Senate. All heads of departments, commissions, institutions or other agencies of the government requesting appropriations, shall have a right to appear before either of these committees in behalf of the appropriation requested. Likewise, any taxpayer in the State shall have the right to be present and to be heard at the hearing on any proposed appropriation. [*Vernon, 689a—7.*]

It shall be the duty of the Comptroller of Public Accounts in advance of each Regular Session of the Legislature to prepare and submit to the Governor and to the Legislature upon its convening a statement under oath showing fully the financial condition of the State Treasury at the close of the last fiscal period and an estimate of the probable receipts and disbursements for the then current fiscal year. There shall also be contained in said statement an itemized estimate of the anticipated revenue based on the laws then in effect that will be received by and for the State from all sources showing the fund accounts to be credited during the succeeding biennium and said statement shall contain such other information as may be required by law. Supplemental statements shall be submitted at any Special Session of the Legislature and at such other times as may be necessary to show probable changes.

From and after January 1, 1945, save in the case of emergency and imperative public necessity and with a four-fifths vote of the total membership of each House, no appropriation in excess of the cash and anticipated revenue of the funds from which such appropriation is to be made shall be valid. From and after January 1, 1945, no bill containing an appropriation shall be considered as passed or be sent to the Governor for consideration until and unless the Comptroller of Public Accounts endorses his certificate thereon showing that the amount appropriated is within the amount estimated to be available in the affected funds. When the Comptroller finds an appropriation bill exceeds the estimated revenue he shall endorse such finding thereon and return to the House in which same originated. Such information shall be immediately made known to both the House of

Representatives and the Senate and the necessary steps shall be taken to bring such appropriation to within the revenue, either by providing additional revenue or reducing the appropriation.

For the purpose of financing the outstanding obligations of the General Revenue Fund of the State and placing its current accounts on a cash basis the Legislature of the State of Texas is hereby authorized to provide for the issuance, sale, and retirement of serial bonds, equal in principal to the total outstanding, valid, and approved obligations owing by said fund on September 1, 1943, provided such bonds shall not draw interest in excess of two (2) per cent per annum and shall mature within twenty (20) years from date. [*Constitution III, 49a.*]

Deficiency appropriations

All heads of departments, managers of State institutions or other persons intrusted with the power or duty of contracting for supplies, or in any manner pledging the credit of the State for any deficiency that may arise under their management or control, shall, at least thirty days before such deficiency shall occur, make out a sworn estimate of the amount necessary to cover such deficiency until the meeting of the next Legislature. Such estimate shall be immediately filed with the Governor, who shall thereupon carefully examine the same and approve or disapprove the same in whole or in part. When such deficiency claim, or any part thereof, has been so approved by the Governor he shall indorse his approval thereon, designating the amount and items thereof approved and the items disapproved, and file same with the Comptroller; and the same shall be authority for the Comptroller to draw his deficiency warrant for so much thereof as may be approved; but no claim, or any part thereof, shall be allowed or warrants drawn therefor by the Comptroller, or paid by the Treasurer, unless such estimate has been so approved and filed. If there is a deficiency appropriation sufficient to meet such claims, then a warrant shall be drawn therefor and the same shall be paid; but, if there is no such appropriation, or if such appropriation be so exhausted that it is not sufficient to pay such deficiency claim, then a deficiency warrant shall issue therefor; and such claim shall remain unpaid until provision be made therefor at some session of the Legislature thereafter. The provisions of this article shall not apply to fees and dues for which the State may be liable under the general laws. When any injury or damage shall occur to any public property from flood, storm or any unavoidable cause, the estimate may be filed at once but must be approved by the Governor as provided in this article. [*Vernon, 4351.*]

It shall be lawful for the Governor to approve deficiency warrants as provided for in Article 4351, Revised Civil Statutes, 1925, to any amount, the aggregate of which does not exceed Two Hundred Thousand (\$200,000.00) Dollars, for all purposes for which he is permitted to approve such deficiency warrants. If any deficiency warrants

are approved above this amount, such warrants are invalid and unredeemable by the State Treasurer. [*Vernon, 4351a.*]

CHAPTER VI

DIRECTION AND GOVERNMENT

Liberties

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances. [*Constitution of the United States, First Amendment.*]

No religious test shall ever be required as a qualification to any office, or public trust, in this State; nor shall any one be excluded from holding office on account of his religious sentiments, provided he acknowledge the existence of a Supreme Being. [*Constitution, I, 4.*]

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship. [*Constitution, I, 6.*]

No money shall be appropriated, or drawn from the Treasury for the benefit of any sect, or religious society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purposes. [*Constitution, I, 7.*]

No religious qualification shall be required for admission to any office or privilege in the University. No course of instruction of a sectarian character shall be taught therein. [*Vernon, 2604.*]

Section 1. That no person, agency, bureau, corporation or association employed or maintained to obtain or aid in obtaining positions for teachers, principals, superintendents, clerks or other employees in the public schools of Texas, and no individual or individuals conducting or employed by or interested directly or indirectly in such an agency, bureau, corporation or association, and no board of education, trustee of a school district, superintendent, principal, or teacher of a public school or other official or employee of a board of education, shall directly or indirectly ask, indicate, or transmit orally or in writing the religion or religious affiliation of any person seeking employment or official position in the public schools of the State of Texas, except to inquire of the applicant whether or not he or she believes in the existence of a Supreme Being.

Sec. 1-a. No department, agency or commission or any agent or employee of the State shall have the right to inquire, request, or in any manner directly or indirectly indicate, require or request the religious affiliation of any applicants for any position. The same penalty as provided for violation in Section 1 shall apply to this section.

Sec. 2. Any person who, or any agency, bureau, corporation or association which shall violate any of the provisions of Sections 1 or 1-a of this Act, or who or which shall aid or incite the violation of any of said provisions shall for each and every violation thereof be liable to a penalty of not less than One Hundred Dollars nor more than Five Hundred Dollars, to be recovered by the person aggrieved thereby or by any resident of this State, to whom such person shall assign his cause of action, in any court of competent jurisdiction in the county in which the plaintiff or the defendant shall reside; and such person and the manager or owner of, or each officer of, such agency, bureau, corporation or association, as the case may be, shall, also, for every such offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than One Hundred Dollars nor more than Five Hundred Dollars, or shall be imprisoned not less than thirty days nor more than ninety days, or both such fine and imprisonment. [*Vernon, 2899a.*]

Section 1. That on and after the date this Act becomes effective, no public funds may be paid to any person as a teacher, instructor, visiting instructor, or other employee in, for or connected with any tax-supported school, college, university or other tax-supported institution of learning in this State, unless and until such person shall have taken the oath of office required to be taken by members of the Legislature and all other officers, as provided in Article XVI, Section 1, as amended by amendment adopted November 8, 1939.

Sec. 2. Exempting foreign visiting instructors, refugees and political refugees from conquered countries from the provisions set out in Section 1 of this Act, and providing that such foreign visiting instructors, refugees and political refugees from conquered countries shall file an affidavit, on form to be prescribed by the Attorney General of the State of Texas, stating, among other things, that they are not members of the Communist, Fascist or Nazi Parties, nor members of any Bund, or any affiliated organization, and further stating that they will not engage in any un-American activities, nor teach any doctrines contrary to the Constitution and Laws of the United States of America or of the State of Texas.

Sec. 3. That any teacher or instructor of any tax-supported school, college, university or other institution of learning in this State who shall have been found guilty of openly advocating doctrines which seek to undermine or overthrow by force or violence the republican and democratic forms of government in the United States, or which

in any way seek to establish a government that does not rest upon the fundamental principle of the consent of the governed, upon and after a full hearing by the employing or appointing authority of such teacher or instructor, shall be dismissed from such service. [Vernon, 2908a.]

Official Oath. Members of the Legislature, and all officers, before they enter upon the duties of their offices, shall take the following Oath or Affirmation:

I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God. [Constitution, XVI, 1.]

Board of Regents of The University of Texas

Creation

The Legislature may provide by law that the members of the Board of Regents of the State University and the Boards of Trustees or Managers of the educational, eleemosynary, and penal institutions of the State, and such boards as have been, or may hereafter be established by law, may hold their respective offices for the term of six (6) years, one-third of the members of such boards to be elected or appointed every two (2) years, in such manner as the Legislature may determine; vacancies in such offices to be filled as may be provided by law, and the Legislature shall enact suitable laws to give effect to this section. [Constitution, XVI, 30a.]

Each member of the governing board of The University of Texas, the Agricultural and Mechanical College, of the normal colleges, and of the College of Industrial Arts, shall be a qualified voter, and shall be selected from different portions of the State. One-third of the membership of each such board shall be biennially nominated by the Governor and appointed by and with the advice and consent of the Senate, and shall hold their offices for six years, respectively. [Vernon, 2907.]

Removal

The legislature shall provide by law for the trial and removal from office of all officers of this state, the modes for which have not been provided in this constitution. [Constitution, XV, 7.]

The Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer, Commissioner of the General Land Office, Comptroller, Commissioner of Insurance, Banking Commissioner,

Judges of the Supreme Court, of the Court of Criminal Appeals, of the Courts of Civil Appeals, of the district courts, of the criminal district courts, and all other State officers and heads of State departments or institutions of any kind, and all members, regents, trustees, commissioners having control or management of any State institution or enterprise, shall be removed from office or position by impeachment in the manner provided in the Constitution and in this title, the remedy by impeachment as herein provided for being cumulative of all other remedies with respect to the impeachment or removal of public officers. [Vernon, 5961.]

If any person shall usurp, intrude into or unlawfully hold or execute, or is now intruded into, or now unlawfully holds or executes, any office or franchise, or any office in any corporation created by the authority of this State, or any public officer shall have done or suffered any act which by law works a forfeiture of his office, or any association of persons shall act within this State as a corporation without being legally incorporated, or any corporation does or omits any act which amounts to a surrender or a forfeiture of its rights and privileges as such, or exercises power not conferred by law; or if any railroad company doing business in this State shall charge an extortionate rate for the transportation of any freight or passengers, or refuse to draw or carry the cars of any other railroad company over its lines as required by the laws of this State, the Attorney General, or district or county attorney of the proper county or district, either of his own accord or at the instance of any individual relator, may present a petition to the district court of the proper county, or any judge thereof in vacation, for leave to file an information in the nature of a quo warranto in the name of the State of Texas. If such court or judge is satisfied that there is probable ground for the proceeding, he shall grant such leave and order the information to be filed and process to issue. [Vernon, 6253.]

... the Governor has no power to remove a regent from his office, but such removal, if it takes place at all, must come as the result of a trial provided for in our quo warrants statutes. [From an opinion of Attorney General B. F. Looney to Governor W. P. Hobby, Op. No. 1817, Bk. 50, pages 109-116, *Biennial Report of the Attorney General, 1916-18, p. 444-448.*]

Powers

The government of The University of Texas shall be vested in a Board of Regents composed of nine persons. They shall elect a chairman from their number who shall serve at the pleasure of the board. The State Treasurer shall be the treasurer of the University. The board shall have the right to make and use a common seal and may alter the same at pleasure. [Vernon, 2584.]

[See also 287 S.W., 677—opinion on powers of Regents as to buildings and their use.]

They shall establish the departments of a first-class university, determine the offices and professorships, appoint a president, who shall, if they think it advisable, also discharge the duties of a professor, appoint the professors and other officers, fix their respective salaries; and they shall enact such by-laws, rules and regulations as may be necessary for the successful management and government of the University; they shall have power to regulate the course of instruction and prescribe, by and with the advice of the professors, the books and authorities used in the several departments, and to confer such degrees and to grant such diplomas as are usually conferred and granted by universities. [Vernon, 2585.]

The regents shall have power to remove any professor, tutor or other officer connected with the institution, when, in their judgment, the interest of the University shall require it. [Vernon, 2586.]

Creation of deficiency

Any regent, director, officer or member of any governing board of any educational or eleemosynary institution who shall contract or provide for the erection or repair of any building or other improvements or the purchase of equipment or supplies of any kind for any such institution, not authorized by specific legislative enactment, or by written direction of the Governor acting under and consistent with the authority of existing laws, or who shall contract or create any indebtedness or deficiency in the name of or against this State, not specifically authorized by legislative enactment, or who shall divert any part of any fund provided by law to any other fund or purpose than that specifically named and designated in the legislative enactment creating such fund, or provided for in any appropriation bill, shall be imprisoned in jail not less than ten days nor more than six months; the venue to be in the county in which may be located the institution affected by such acts of such offender. [Vernon, 112 P. C.]

Expenses

The reasonable expenses incurred by the boards of regents and visitation in the discharge of their duties shall be paid from the available University fund. [Vernon, 2589.]

Contracts

All contracts, with architects, plan makers, landscapers or draftsmen, or with any other person, firm or corporation of whatever name or designation shall be absolutely void unless same be approved by the signed written vote of a majority of said Board of Regents in regular or called meeting assembled, and provided further that all contracts for the construction or erection of such permanent improvements shall be absolutely void unless same are made after receiving sealed competitive bids after advertisement therefor by the president of the Board of Regents, for four consecutive weeks in one or more

newspapers of general circulation in the State of Texas and said bids considered and awards made to the lowest responsible bidder by the signed written vote of a majority of said Board of Regents, in a regular or called meeting assembled. Said bids and awards shall be made only after such publication. [Vernon, 2593.]

Powers as trustees

Whenever the Board of Regents of The University of Texas shall have been made trustees by a will, instrument in writing or otherwise of a trust for a scientific, educational, philanthropic or charitable purpose, or other trust for a public purpose, that they may act by a quorum of the Board or a majority of all members; unless otherwise directed by the terms of the will or instrument, as such trustees they may exercise for the purposes of the trust the power of eminent domain, and may condemn land and other property as provided in this chapter; the power already existing of condemnation for University purposes is not affected hereby. [Vernon, 3264b.]

Surveying and geologizing

Section 1. It is hereby made the duty of the Board of Regents of The University of Texas to cause to be done such surveying or resurveying of the blocks and subdivisions thereof of the University lands as may be necessary to enable the lines of the blocks and sections and fractional sections to be determined and identified and have such corners as may be necessary to that end permanently marked. When it is impracticable to establish such lines and corners as originally surveyed, or when such sections have not been actually surveyed on the ground, the blocks shall be surveyed or resurveyed and divided into surveys of sections and fractional sections and as many corners thereof as may be necessary for the identification shall be permanently marked. The surveyors to do such surveying shall be employed by said Board. The field notes of such surveys shall be returned to the General Land Office, and when correct and in accordance with law, shall be approved by the Commissioner of the General Land Office filed in the General Land Office and become archives therein.

Sec. 2. The Board of Regents is hereby authorized to employ a geologist and mineralogist, who shall keep informed with reference to the minerals in the University lands and all activities under leases and sales of the minerals therein, and shall report to the Board of Regents and to the Board for Lease of University Lands all information gained with reference thereto.

Sec. 3. The Board of Regents of the University of Texas shall have authority to employ and compensate such help as said Board may deem necessary in connection with the performance of any duties under Chapter 282 of the General and Special Laws of the Regular Session of the 41st Legislature or under this Act. The Board

of Regents shall have all the powers and perform all the duties provided by Sections 2 and 15 of said Chapter, but the Board for Lease of University Lands as created by said chapter shall perform all the other duties provided therein. [*Vernon, 2603b.*]

Information from surveys

The information obtained by any survey of the public school, university, asylum or state land made by the Board of Regents of The University of Texas shall not be communicated by said board or by the person making such survey to any person except the Commissioner of the General Land Office until said information is published for the benefit of the general public. Anyone violating this article shall be fined not exceeding one thousand dollars, or imprisoned not to exceed two years in jail. [*Vernon, 144 P. C.*]

Accounts and records

An account shall be kept by the officers of the executive department, and by all officers and managers of state institutions, of all moneys and choses in action received and disbursed or otherwise disposed of by them, severally, from all sources, and for every service performed; and a semi-annual report thereof shall be made to the governor under oath. The governor may, at any time, require information in writing from any and all of said officers or managers, upon any subject relating to the duties, condition, management and expenses of their respective offices and institutions, which information shall be required by the governor under oath; and the governor may also inspect their books, accounts, vouchers and public funds; and any officer or manager, who, at any time, shall wilfully make a false report or give false information, shall be guilty of perjury, and so adjudged, and punished accordingly, and removed from office. [*Constitution, IV, 24.*]

Reports

The Board of Regents shall report to the State Board annually, and to each regular session of the Legislature, the condition of the University, setting forth the receipts and disbursements, the number and salary of the faculty, the number of students, classified in grades and departments, the expenses of each year, itemized, and the proceedings of the board and faculty fully stated. [*Vernon, 2588.*]

Nepotism

Whoever violates any provision of the Penal Code relating to nepotism and the inhibited acts connected therewith shall be removed from his office, clerkship, employment or duty, as therein mentioned. Such removal from office shall be made in conformity to the provisions of the Constitution of this State concerning removal from office in all cases to which they may be applicable. All other removals from office under the provisions of this law shall be by quo warranto

proceedings. All removals from any such position, clerkship, employment or duty aforesaid shall be summarily made, forthwith, by the appointing power in the particular instance, whenever the judgment of conviction in a criminal prosecution in the particular case shall become final; provided, that, if such removal be not so made within thirty days after such judgment of conviction shall become final, the person holding such position, clerkship or employment, or performing such duty, may be removed therefrom as herein provided with reference to removal from office. [*Vernon, 5996.*]

No officer of this State or any officer of any district, county, city, precinct, school district, or other municipal subdivision of this State, or any officer or member of any State, district, county, city, school district or other municipal board, or judge of any court, created by or under authority of any general or special law of this State, or any member of the Legislature, shall appoint, or vote for, or confirm the appointment to any office, position, clerkship, employment or duty of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of any such board, the Legislature, or court of which such person so appointing or voting may be a member, when the salary, fees, or compensation of such appointee is to be paid for, directly or indirectly, out of or from public funds or fees of office of any kind or character whatsoever. [*Vernon, P. C., 432.*]

The inhibitions set forth in this law shall apply to and include . . . members of any and all Boards and courts established by or under the authority of any general or special law of this State, . . . public school trustees, officers, and members of boards of managers of the State University and of its several branches and of the various State educational institutions and of the various State eleemosynary institutions, and of the penitentiaries. This enumeration shall not be held to exclude from the operation and effect of this law any person included within its general provisions. [*Vernon, P. C., 433.*]

No officer or other person included within any provision of this law shall appoint or vote for appointment or for confirmation of appointment to any such office, position, clerkship, employment or duty of any person whose services are to be rendered under his direction or control and to be paid for, directly or indirectly out of any such public funds or fees of office, and who is related by affinity within the second degree or by consanguinity within the third degree to any such officer or person included within any provision of this law, in consideration, in whole or in part, that such other officer or person has theretofore appointed, or voted for the appointment or for the confirmation of the appointment, or will thereafter appoint or vote for the appointment, or for the confirmation of the appointment to any such office, position, or clerkship, employment or duty of any person whomsoever related within the second degree by

affinity or within the third degree by consanguinity to such officer or other person making such appointment. [*Vernon, P. C., 434.*]

No officer or other person included within the third preceding article shall approve any account or draw or authorize the drawing of any warrant or order to pay any salary, fee or compensation of such ineligible officer or person, knowing him to be so ineligible. [*Vernon, P. C., 435.*]

Whoever violates any provision of the five preceding articles shall be guilty of a misdemeanor involving official misconduct, and shall be fined not less than one hundred nor more than one thousand dollars. [*Vernon, P. C., 437.*]

Board for Lease of University Lands

Section 1. A Board is hereby created to consist of the Commissioner of the General Land Office and two members of the Board of Regents of The University of Texas, neither of whom is employed either directly or indirectly by any oil or gas company, nor is an officer or attorney thereof, to be selected by said Board of Regents, who shall perform the duties hereinafter indicated; the Board shall be known as "Board for Lease of University Lands." The term "Board" wherever it appears hereafter in this Act shall mean "Board for Lease of University Lands." The Board shall keep a complete public record of all its proceedings.

[*See Vernon, 2603b.*]

Sec. 3. The oil and gas in the University land shall be subject to sale on and after June 1, 1929, under the regulations, at the times and on the terms provided herein, together with such rules and regulations as may be authorized herein to be adopted by the Board, but not inconsistent with the provisions of this Act. [*Vernon, 2603a, as amended by Vernon, 2603b.*]

[Sections 4 to 18, inclusive, of Article 2603a contain the provisions of this Act.]

Legislature

All bills for raising revenue shall originate in the house of representatives, but the senate may amend or reject them as other bills. [*Constitution, III, 33.*]

[*See also Constitution, III, 44 and 48; VII, 10; and VIII, 7.*]

Land Commissioner

The comptroller of public accounts, the treasurer, and the commissioner of the general land office, shall . . . perform such duties as are or may be required of him by law. . . . [*Constitution, IV, 23.*]

The Land Commissioner shall furnish to the Board of Regents complete and accurate maps and all other data necessary to show the location and condition of every tract of the University lands, and shall at all times furnish to said Board such additional information as

they may require, and render to said Board such possible assistance as they shall request in the discharge of their duties. [*Vernon, 2598.*]

Attorney General

The attorney general shall hold office for two years and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the state, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or collecting any species of taxes, toll, freight or wharfage not authorized by law. He shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other executive officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the seat of government during his continuance in office. He shall receive for his services an annual salary of Ten Thousand (\$10,000.00) Dollars, and no more, besides such fees as may be prescribed by law; provided, that the fees which he may receive shall not amount to more than two thousand dollars annually. [*Constitution, IV, 22.*]

The Attorney General shall prosecute and defend all actions in the Supreme Court or the Courts of Civil Appeals in which the State may be interested. [*Vernon, 4395.*]

The Attorney General at the request of the Governor, or the head of any department of the State government, including the heads and boards of penal and eleemosynary institutions, and all other State boards, regents, trustees of the State educational institutions, committees of either branch of the Legislature, and county auditors authorized by law, shall give them written advice upon any question touching the public interest, or concerning their official duties. He shall advise the several district and county attorneys of the State, in the prosecution and defense of all actions in the district or inferior courts, wherein the State is interested, whenever requested by them, after said attorney shall have investigated the question, and shall with such question, also submit his brief. He shall advise the proper legal authorities in regard to the issuance of all bonds that the law requires shall be approved by him. He is hereby prohibited from giving legal advice or written opinions to any other than the officers or persons named herein. [*Vernon, 4399.*]

Treasurer

The government of The University of Texas shall be vested in a Board of Regents composed of nine persons. They shall elect a chairman from their number who shall serve at the pleasure of the

board. The State Treasurer shall be the treasurer of the University. The board shall have the right to make and use a common seal and may alter the same at pleasure. [*Vernon, 2584.*]

Comptroller

The Comptroller of Public Accounts, the Treasurer, and the Commissioner of the General Land Office, shall . . . perform such duties as are or may be required by law. . . . [*Constitution, IV, 23.*]

Among other duties the Comptroller shall:

Section 3. Superintend the fiscal concerns of the State, as the sole accounting officer thereof, and manage the same in the manner required by law.

Sec. 4. Require all accounts presented to him for settlement not otherwise provided for by law to be made on forms prescribed by him, all such accounts to be verified by affidavit as to their correctness, and he may administer the oath himself in any case in which he may deem it necessary. [*Vernon, 4344.*]

All expenditures may be made by the order of the board of regents, and the same shall be paid on warrants from the Comptroller based on vouchers approved by the chairman of the board or by some officer of the University designated by him in writing to the Comptroller, and countersigned by the secretary of the board, or by some other officer of the University designated by said secretary in writing to the Comptroller. [*Vernon, 2594.*]

Except as otherwise specially provided, all deeds to the State, all liens, mortgages, bonds, notes and other securities for money given to the State or any officer for the use of the State, contracts involving pecuniary obligations to the State, and all other documents or instruments creating a pecuniary obligation in favor of the State, shall be deposited in the office of the Comptroller. [*Vernon, 4346.*]

. . . The Comptroller shall have power at any time to examine and check up all and any expenditures of money appropriated for any of the State institutions or for any other purpose or for improvements made by the State on State property or money received and disbursed by any board authorized by law to receive and disburse any State money. The Comptroller shall also have power and authority, and it is hereby made his duty, to fully investigate any State institution when so directed by the Governor or required by information coming to his own knowledge. He shall investigate the manner of conducting the same and the policy pursued by those in charge thereof, and the conduct or efficiency of any person employed therein by the State. He shall examine into and report upon the character and manner as well as the amount of expenditures thereof, and investigate and ascertain all sums of money due the State from any source whatever, the ascertainment and collection of which does not devolve upon other officers of this State under existing law; and he shall report all such facts to the Governor. When the Comptroller,

acting under the direction of the Governor, calls on any person connected with the public service to inspect his accounts, records or books, said person so called upon shall submit to said agent all books, records and accounts so called for without delay. [*Vernon, 7057.*]

Board of Control

The Board shall contract for a term of not exceeding two years with responsible persons, firms, corporations or associations of persons, who shall be residents of Texas, for supplying to the State all printing, binding, stationery and supplies of like character for all departments, institutions and boards, save and except such work as may be done at the various educational and eleemosynary institutions. Said contract shall be let to the lowest and best responsible bidder after public advertising of such proposed letting for once a week for four consecutive weeks in at least six newspapers of general circulation in this State. No two of such papers shall be published in the same county. The Board may reject any and all bids; the reason therefor shall be entered in full in the minutes of the Board and shall be open to the inspection of the public at all times. New contracts shall be made in the same manner as hereinbefore provided. [*Vernon, 608.*]

The Board of Control shall purchase all the supplies used by each Department of the State Government, including the State Prison System, and each eleemosynary institution, Normal School, Agricultural and Mechanical College, The University of Texas, and each and all other State Schools or Departments of the State Government heretofore or hereafter created. Such supplies to include furniture and fixtures, technical instruments and books, and all other things required by the different departments or institutions, except strictly perishable goods. [*Vernon, 634.*]

The Board shall contract for all supplies, merchandise and articles of every description needed for the maintenance and operation of such institutions, except those supplies designated as perishable, and supplies of a special character, as books for libraries and supplies for the laboratories and laboratory work and instruction, and any special supplies for instruction, demonstration and research for educational institutions, to be designated as "Special Supplies for Educational Institutions." The Board shall base its contracts upon estimates to be furnished the Board by the superintendents, by the first day of April of each year, for the entire year. [*Vernon, 642.*]

The Board shall in all cases reserve the right to reject or accept any or all bids, or reject in part if it prefers, and in such case they may buy in the open market until a satisfactory bid is offered. [*Vernon, 646.*]

Furniture or equipment for educational institutions shall be such as is especially adapted or designed for such institutions. [*Vernon, 648.*]

Furniture or equipment for educational institutions shall be of the particular kind and make as requisitioned by such institution and approved by the Board. [*Vernon, 661.*]

The Board shall frequently inspect all the public buildings and property of the State at the Capitol, and all other buildings and property of the State at such regular intervals as may be necessary for the Board to keep constantly informed of the condition of the same. [*Vernon, 669.*]

[See also *Vernon, 688, 689, 689a—2, 689a—3, 689a—4, 689a—5, and 689a—6.*]

State Board of Education

The Legislature shall provide by law for a State Board of Education, whose members shall be appointed or elected in such manner and by such authority and shall serve for such terms as the Legislature shall prescribe not to exceed six years. The said board shall perform such duties as may be prescribed by law. [*Constitution, VII, 8.*]

There is hereby created the State Board of Education. Said Board shall consist of nine members to be appointed by the Governor, with the advice and consent of the Senate. . . . After the first Board, the term of each member shall be for six years from the date of the respective appointments, and the appointments shall be made and the terms arranged in such manner that three of said members shall retire on the first day of January biennially, and the Governor shall biennially, on the first of January, fill such vacancies by the appointment of three members. . . . [*Vernon, 2675b—1.*]

The State Board of Education shall organize by the election of one of its members as president, and the State Superintendent of Public Instruction shall be ex-officio secretary of the Board. [*Vernon, 2675b—3.*]

It is made the duty of the State Board of Education, created by this Act (Arts. 2675b—1 to 2675b—10), to immediately take over and discharge all duties imposed by present laws upon the Board of Education in existence at the time this Act takes effect. In addition thereto, it shall perform such other duties as may from time to time be prescribed by the Legislature. In addition to the duties now required by law of the Board of Education, existing prior to the taking effect of this Act, the State Board of Education hereby created shall perform the following duties:

(a) It shall fairly consider the financial needs of the public free school system of this State and biennially, in advance of each Session of the Legislature, prepare a report and present the same to the Governor to be transmitted to the Legislature upon convening.

(b) It shall fairly consider the financial needs of the State institutions of higher learning and make recommendations concerning same biennially. It shall submit these recommendations to the State Board

of Control, which shall embody them in its budget, together with the original requests of the several institutions of higher learning, and its own recommendations, and transmit the same to the Governor and the Legislature.

(c) It shall make formal recommendations to the Governor, and through the Governor to the Legislature, concerning all proposals for the establishment of new Educational Institutions.

(d) It shall be the duty of the State Board of Education to make a careful study of the scope and purpose of the work of the State institutions of higher learning and to make such written and statistical reports as the Board of Education may desire. It shall be the further duty of the Board of Education to recommend such changes in the courses of study of the State institutions of higher learning as the needs of the State may warrant with especial reference to elimination of any needless waste or duplication of work; provided that, before such changes in the scope of the courses offered by any State supported institution of higher learning shall be recommended, the administrative officers of the institution involved shall have an opportunity to appear before the State Board of Education to defend or oppose such changes; provided that, if the recommendations of the State Board of Education shall not be adopted by the institution concerned, said Board shall report this fact together with these recommendations to the Governor of the State and to the Legislature; provided further that it shall be the duty of the executive authorities of the State institutions of higher learning to furnish or cause to be furnished, any and all information desired by the State Board of Education or by the State Superintendent of Public Instruction.

(g) It shall fairly consider the athletic necessities and activities of the public schools of Texas, and biennially, in advance of each session of the Legislature, specifically report to the Governor of Texas, the proper and legal division of the time and money to be devoted to athletics, the proper and legal division of the time and money to be devoted to holidays, legal and otherwise, and a proper division of the time and money to be devoted to educational purposes, and said report shall be transmitted to the Legislature next thereafter convening. [*Vernon, 2675b—5.*]

Nothing in this Act (Arts. 2675b—1 to 2675b—10) shall be construed to lessen the powers now held by the existing governing bodies of our State Teachers Colleges, the College of Industrial Arts, The University of Texas, the Technological College, and other State institutions of higher learning. [*Vernon, 2675b—7.*]

State Auditor

Section 7. The State Auditor is hereby granted the authority and it shall be his duty:

1. To perform an audit of all accounts, books and other financial records of the State Government of any officer of the state, department, board, bureau, institution, commission or agency thereof, and to prepare a written report or reports of such audit or audits to the Legislative Audit Committee and such other person or persons hereafter designated in this bill.

2. To personally, or by his duly authorized assistants, examine and audit all fiscal books, records and accounts of all custodians of public funds, and of all disbursing officers of this State, making independent verifications of all assets, liabilities, revenues and expenditures of the State, its departments, boards, bureaus, institutions, commissions or agencies thereof now in existence or hereafter created.

3. To require such changes in the accounting system or systems and record or records of any office, department, board, bureau, institution, commission or state agency, that in his opinion will augment or provide a uniform, adequate, and efficient system of records and accounting.

4. To work with the executive officers of any and all state offices, departments, boards, bureaus, institutions, commissions or agencies thereof hereafter created in outlining and installing a uniform, adequate and efficient system of records and accounting.

5. To require the aid and assistance of all executives and officials, auditors, accountants and other employees of each and every department, board, bureau, institution, commission or agency of the State at all times in the inspection, examination and audit of any and all books, accounts and records of the several departments.

The State Auditor shall have access at all times to all of the books, accounts, reports, confidential or otherwise, vouchers, or other records of information in any state office, department, board, bureau, or institution of this State.

In making any changes, the State Auditor shall take into consideration the present system of such books, records, accounts and reports in order that the transition may be gradual. The past and present records shall be coordinated into the new system. It is the object and purpose of this Act, among other things, to install a unified and coordinated system of accounting and records in every department, bureau, board and institution of the State Government.

The State Auditor shall also perform such other duties as may be required of the State Auditor or State Auditor and Efficiency Expert by any other existing law or laws of this State.

Sec. 8. In addition to the other duties provided for the State Auditor, he shall thoroughly examine all departments of the State Government with special regard to their activities and the duplication of efforts between departments and the quality of service being rendered by subordinate employees in each of the several departments.

Upon completing the examination of any department, he shall furnish the head thereof with a report of, among other things, (a) the efficiency of the subordinate employees; (b) the status and condition of all public funds in charge of such departments; (c) the amount of duplication between work done by the departments so examined and other departments of the State Government; (d) the expense of operating the department; (e) breaches of trust and duty, if any, by an officer, department, institution, board, bureau, or other custodian or disbursement officer of public funds; (f) any suggested changes looking toward economy and reduction of number of clerical and other employees, and the elimination of duplication and inefficiency. Copies of each report shall be filed with the Governor, the Lieutenant-Governor, the Speaker of the House of Representatives, the Secretary of State, and each member of the Legislature.

The State Auditor shall file an annual report with the Governor; copies of such report shall be filed with the Speaker of the House, the Lieutenant-Governor, and in the office of the Secretary of State. Such annual report shall contain, among other things, copies of, or the substance of reports made to the various departments, bureaus, institutions, and boards, as well as a summary of changes made in the system of accounts and records thereof.

Reports shall also contain specific recommendations to the Legislature for the amendment of existing laws or the passage of new laws designed to improve the functioning of various departments, boards, bureaus, institutions or agencies of State Government to the end that more efficient service may be rendered and the cost of government reduced.

All recommendations submitted by the State Auditor shall be confined to those matters properly coming within his jurisdiction, which is to see that the laws passed by the Legislature dealing with the expenditure of public moneys are in all respects carefully observed, and that the attention of the Legislature is directed to all cases of violation of the law and to those instances where there is need for change of existing laws or the passage of new laws to secure the efficient spending of public funds. The State Auditor shall not include in his recommendations to the Legislature any recommendations as to the sources from which taxes shall be raised to meet the governmental expense.

All reports by the State Auditor shall call attention to any funds, which, in his opinion, have not been expended in accordance with law or appropriations by the Legislature; and shall make recommendations to the Legislature as to the manner or form of appropriations, which will avoid any such improper expenditure of money in the future.

Each of the audits herein provided for shall be made and concluded as directed by the Legislative Audit Committee, and in accordance with the terms of this Act; but shall be concluded and

reports thereof made not later than thirty (30) days before the convening of each Regular Session of the Legislature. The Committee shall direct the Auditor to make any special audit or investigation that in its judgment is proper or necessary to carry out the purpose of this Act, or to assist the Legislature in the proper discharge of its duties.

Sec. 10. If the State Auditor finds, in the course of his audit, evidence of improper practices of financial administration or of any general incompetency of personnel, inadequacy of fiscal records, he shall report same immediately to the Governor, the Legislative Audit Committee, and the Department head or heads affected. If the State Auditor shall find evidence of illegal transactions, he shall forthwith report such transactions to the Governor, the Legislative Audit Committee and the Attorney General.

Immediately upon receipt of a report from the State Auditor of incompetency of personnel and inadequacy of fiscal records, the Legislative Audit Committee shall review the State Auditor's report of same and hold hearings with the Department head or heads concerning such incompetency and inadequacy of fiscal records. The Legislative Audit Committee, after holding such hearings, shall make a report to the Department head or heads requesting the removal or replacement of the incompetent personnel or the installation of the necessary fiscal records. The Legislative Audit Committee shall report to the Legislature any refusal of the Department officials to remedy such incompetency or the installation of proper fiscal records.

Sec. 14. Any officer or person employed by the State of Texas or any governmental unit of the State who shall refuse to permit the examination or access to the books, accounts, reports, vouchers, papers, documents or cash drawer or cash of his office, department, institution, board, or bureau by the State Auditor, or who shall in any way interfere with such examination or who shall refuse to make any report required by this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, or by imprisonment in the county jail for not less than one (1) month nor more than twelve (12) months, or by both such fine and imprisonment. [*Vernon, 4413a.*]

CHAPTER VII

EDUCATIONAL DETAILS

Board of visitors

The Legislature at each regular session shall appoint a board of visitors who shall attend the annual examinations of the University and its branches and report to the Legislature thereon. [*Vernon, 2605.*]

Elementary agriculture

The State Normal School Board of Regents, the boards of directors of the Agricultural and Mechanical College, of the College of Industrial Arts, and of the State University shall require the teaching of elementary agriculture for teachers in the summer sessions of said institutions and the State normal schools. [*Vernon, 2914.*]

Study of Constitutions

Section 1. In all high schools within this State supported by public funds there shall be given a course of instruction in the Constitutions of the United States and of Texas, which shall be a combined course in both Constitutions, and which shall be given for at least one-half hour each week of the school year or at least one hour each week for one-half of the school year, or the equivalent thereof. No student shall be graduated from any high school mentioned herein who has not passed a satisfactory examination in such high school course of instruction.

Sec. 2. There shall be given in all colleges and universities supported by public funds a course in American Government with special emphasis upon the Constitutions of the United States and of Texas, which course shall be given for at least three fifty-minute periods per week for not less than twelve consecutive weeks, or its equivalent if given in summer sessions. No student shall be graduated from any such college or university who has not passed a satisfactory examination in such college or university course in the college or university from which he is graduating or in some other college or university which he may have attended previously.

Sec. 3. The State Superintendent of Instruction shall prescribe the standard of the course to be taught in high schools, and if the Superintendent of Public Instruction shall have prescribed a standard of instruction that requires a textbook, then the Board or body that selects textbooks for high schools shall select and prescribe the proper textbooks for the course of instruction.

Sec. 4. No person hereafter shall be certified to teach in the public schools of the State of Texas until he has secured credit for the course in both Federal and State Constitutions of the grade of instruction upon which he is applying for the certificate, that is either of the subcollege or of the college work; or in lieu thereof shall have passed an examination set by the State Superintendent of Public Instruction on the Constitutions of the United States and Texas; provided, that any person who has to his credit in any standard college or university of Texas as much as six (6) hours of American Government shall be deemed to have met the requirements of this Section. Provided further, that after September 1, 1937, no student shall be certified for graduation from any tax supported State educational institution with the award of a college degree unless such student shall have

completed theretofore in a standard college or university at least six (6) hours for credit in the governments of the State of Texas or of the United States of America, or the equivalent in both; or shall have completed at least three (3) hours of said credit in Government and at least three (3) hours of credit in a course in Military Science as provided in an approved senior R.O.T.C. unit.

Sec. 5. The teaching courses of instruction in the Constitutions provided for in this Act shall begin with the terms of school beginning on or after September 1, 1930, and the provisions of this Act with reference to graduation from any school, college, or university, or with reference to certification to teach school, shall not apply to any student graduated before September 1, 1930, or receiving a certificate to teach school before that date. Provided, however, that the terms of this bill shall not be applied to, or affect, any student who commenced his studies leading to a degree, in any of the State Institutions with the required credits prior to the time this Bill was enacted into a law, to any student, who on or before September 1, 1929, had credits for at least half the work required for a bachelor's degree. [*Vernon, 2663b-1.*]

Military and Naval training

Section 1. The Board of Regents of The University of Texas is directed to request the War and Navy Departments of the United States of America to establish and maintain courses of military and naval training, qualifying men student graduates of such courses for reserve commission awards, as a part of its curriculum. The Board of Regents is authorized to enter into mutually agreeable contracts for such purposes.

The work of the students enrolling in such courses may be credited toward degree requirements under such regulations as the Board of Regents may prescribe.

No student of the University shall ever be required to take any portion of such training as a condition for entrance into the University or graduation therefrom. [*Vernon, 2585a.*]

Providing for teaching effects of alcohol and narcotics

All public schools in this State shall be required to have taught in them orthography, reading in English, penmanship, arithmetic, English grammar, modern geography, composition, mental arithmetic, Texas history, United States history, civil government, elementary agriculture, cotton grading, and other branches as may be agreed upon by the trustees or directed by the State Superintendent; provided, that the subject of elementary agriculture shall not be required to be taught in independent school districts having a scholastic population of three hundred (300) or more unless so ordered by the school boards. Suitable instruction shall be given in the primary grades as acts regarding kindness to animals and the protection of

birds and their nests and eggs. Elementary agriculture shall include certain practical field studies and laboratory experiments as prescribed by the county school trustees in conformity to law and the requirements of the State Superintendent. Each summer normal institute and each county teachers institute shall employ at least one instructor who shall be selected because of his special preparation to give instruction in agriculture. All of the above-mentioned schools shall be required to have taught in them physiology and hygiene. The effects of alcohol and narcotics shall be taught in all grades of the public schools and in all of the colleges and universities that are wholly or in part supported by State funds.

Provided that this shall not require the immediate adoption of textbooks to carry into effect the requirement that the effects of alcohol and other narcotics be taught in all of the Public Schools and in all colleges and universities that are wholly or in part supported by State funds and provided further that at the next adoption of textbooks on physiology and hygiene it be required to be taught in all of the above-mentioned schools. All textbooks on physiology and hygiene purchased in the future for use in the public schools of this State shall include at least one chapter on the effects of alcohol and narcotics, but this shall not be construed as a requirement that duly adopted textbooks in use at the present time be discarded until full use of said books is had as in ordinary cases. [*Vernon, 2911.*]

CHAPTER VIII

BUILDINGS

Approval of contracts

All contracts, with architects, plan makers, landscapers or draftsmen, or with any other person, firm or corporation of whatever name or designation shall be absolutely void unless same be approved by the signed written vote of a majority of said Board of Regents in regular or called meeting assembled, and provided further that all contracts for the construction or erection of such permanent improvements shall be absolutely void unless same are made after receiving sealed competitive bids after advertisement therefor by the president of the Board of Regents, for four consecutive weeks in one or more newspapers of general circulation in the State of Texas, and said bids considered and awards made to the lowest responsible bidder by the signed written vote of a majority of said Board of Regents in a regular or called meeting assembled. Said bids and awards shall be made only after such publication. [*Vernon, 2593.*]

Available Fund expenditures

The Board of Regents of The University of Texas and the Board of Directors of the Agricultural and Mechanical College of Texas shall, with the approval of the Legislature, expend the Available

University Fund for the construction of buildings on the campuses of their respective institutions and for the extension and improvement of their campuses and for the equipment of buildings thereon in the proportions and amounts hereinafter indicated; and to pay interest and principal sufficient to retire any obligations which may be incurred by virtue of any pledges made by the respective institutions as herein provided; and the Board of Regents of The University of Texas shall expend of such Available University Fund so much thereof as may be appropriated by the Legislature for the administration of the University Lands and of the University Permanent Fund, such expenses to be apportioned between the two institutions in proportion to their receipts of Available University Funds under the terms of this Act. For the years beginning September 1, 1931, September 1, 1932, September 1, 1933, the sum of Two Hundred Thousand (\$200,000.00) Dollars net shall accrue for each of said years of said Available University Fund to the Agricultural and Mechanical College of Texas and shall be expended by the Board of Directors of that institution for said Agricultural and Mechanical College purposes, and the Board of Regents of The University of Texas shall expend the balance of said Available Fund for said University of Texas purposes.

Beginning September 1, 1934, the Board of Directors of the Agricultural and Mechanical College of Texas shall so expend one-third of all the Available University Fund received from the Permanent University Fund arising from the 1,000,000 acres of land appropriated by the Constitution of 1876 and the land appropriated by the Act of 1883, except income from grazing leases on University lands (less its proportion of expenses of administration and excluding any expenses of administration from grazing leases), and the Board of Regents of The University of Texas shall so expend the balance of said Available Fund, including all the income from grazing leases on University lands (less its proportion of expenses of administration).

The Board of Directors of the Agricultural and Mechanical College of Texas shall have the right to pledge that part of the Available University Fund hereby placed at its command, and the Board of Regents of The University of Texas shall have the right to pledge that part of the Available University Fund placed at its command for not exceeding fifteen years to make the said funds immediately available. Any contract for expenditures of said interests and income for any purpose other than those named shall be void. No surface lease of said lands shall be made for a period of more than ten years. [Vernon, 2592.]

University Library Notes

Section 1. That subject to and in accordance with the term hereof, the Board of Regents of The University of Texas is hereby authorized

and empowered to complete the construction, furnishing and equipment of the "main" or administration and library building of The University of Texas, a part thereof being already under construction.

Sec. 2. That in anticipation of the collection of the revenues hereinafter authorized to be pledged for the payment of the cost of the construction, furnishing and equipment of said building the Board of Regents is empowered by resolution to authorize, sell and deliver its negotiable interest bearing notes or bonds from time to time and in such amount or amounts not in excess of One Million Two Hundred Thousand (\$1,200,000.00) Dollars, as it may consider necessary. Such notes or bonds shall be payable at such time or times not more than fifteen (15) years from the date thereof, and at such place or places, shall be in such form and denominations, shall bear such rate of interest not more than four (4%) per cent, and shall be sold for such price and in such manner as the Board of Regents by resolution shall determine. Any notes or bonds issued hereunder shall not be an indebtedness of the State of Texas, but shall be payable solely from the revenues to be derived by The University of Texas from grazing and other surface leases of lands heretofore set apart and appropriated for the endowment, establishment, maintenance and support of The University of Texas, and said Board is empowered to pledge all or part of such revenues to the payment of such notes or bonds, and to enter into such contracts and agreements with respect to the collection and disposition of such revenues as it may deem necessary or proper. Any such agreements or contracts entered into by the Board of Regents shall be binding in all respects upon such Board of Regents and its successors from time to time, in accordance with the terms of such agreements, and all of the provisions thereof shall be enforceable by appropriate proceedings at law or in equity, or otherwise.

Sec. 3. That the Board of Regents may use a part of the proceeds of the sale of any notes or bonds issued hereunder for the purpose of furnishing and equipping, in whole or in part, the building herein authorized to be constructed.

Sec. 4. That all revenues pledged hereunder for the payment of notes or bonds issued under the terms of this Act shall as collected be paid directly to the Comptroller of the University. The Board of Regents is authorized to select a depository bank as a place of deposit of such revenues and shall require adequate surety bonds or securities to be posted to secure the deposit of such revenues. Any depository bank or banks so selected are hereby authorized to pledge their securities to protect such funds. Separate accounts shall be kept on the books of the University showing the sources of all revenues so collected and the disposition made thereof.

Sec. 5. That all contracts or agreements heretofore entered into by the Board of Regents in furtherance of the purposes of this Act

be and the same are hereby ratified, confirmed and validated in all respects as though this Act had been in effect at the time of the making of such contracts or agreements.

Sec. 6. That if any clause, section or part of this law shall be held to be invalid such invalidity shall have no effect on the remainder of the law, and that said remainder shall continue to be in full force and effect.

Sec. 7. That all laws or parts of laws, in conflict herewith, be and the same are hereby repealed.

Sec. 8. That the fact that The University of Texas is in urgent need of the building authorized to be acquired hereunder, and the fact that the Board of Regents of said University will be able to borrow money under the provisions hereof only if arrangements for such loan can be promptly completed, creates an emergency and an imperative public necessity that the Constitutional Rule requiring laws to be read on three several days in each house be suspended, and that this Act shall take effect and be in force from and after its passage, and said Rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted. [*Vernon, 2603d.*]

[The \$1,200,000 mentioned in this Act was borrowed, to be repaid 1936-1949.]

Erection of dormitories and other facilities

Section 1. That the Board of Regents of The University of Texas and its branches, and the Board of Directors of the Agricultural and Mechanical College, and its branches, and the Board of Directors of Texas Technological College, and the Board of Regents of the State Teachers Colleges, and the Board of Regents of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries are hereby severally authorized and empowered to construct or acquire through funds or loans to be obtained from the Government of the United States, or any agency or agencies thereof, created under the National Recovery Act, or otherwise created by the Federal Government or from any other source private or public, without cost to the State of Texas, and accept title, subject to such conditions and limitations as may be prescribed by each of said Boards, dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasias, athletic buildings and stadia, and such other buildings as may be needed for the good of the institution and the moral welfare and social conduct of the students of such institutions when the total cost, type of construction, capacity of such buildings, as well as the other plans and specifications have been approved by the respective Governing Boards; provided, however, that the Legislature shall never make an appropriation out of the general fund of this State, either in the regular appropriation bill or in a supplemental or emergency appropriation bill, for

the purpose of equipping or for the purpose of purchasing and installing any utility connections in any of the buildings erected under and by virtue of the provisions of this Act.

Sec. 2. That said Boards are further authorized to fix fees and charges for the use of the buildings erected under authority of the law amended by this Act. The charges to be made and the fees to be assessed against students using said buildings shall be in amounts deemed to be reasonable by the respective Boards, taking into consideration the cost of providing said facilities, the use to be made of them and the advantages to be derived therefrom by the students of the respective institutions; provided that the fee to be assessed against a student for the use of a library, or for the use of a student activity building, or for the use of a hospital, or for the use of a gymnasium, shall not exceed Four (\$4.00) Dollars for any one of said purposes for any one semester or for any one summer session. The fees and charges thus fixed along with all other income therefrom shall be considered as revenue derived from the operation of the buildings thus constructed.

That said Boards are further authorized to make any contract with reference to the collection and disposition of the revenues derived from any building so constructed in the acquisition or construction, management, and maintenance of any building or buildings acquired hereunder. In reference to the acquisition of student activity buildings, stadia, gymnasias, and all character of athletic buildings, said Boards are authorized also to make contracts with reference to the collection and disposition of revenues to accrue to such respective institutions from activities, athletic events, and games in which said respective institutions participate away from said institutions, as well as at said institutions; and in anticipation of the collection of such revenues, and for the purpose of paying the cost of the construction or acquisition of said building or buildings and grounds, said Boards are severally empowered by resolution to authorize, sell, and deliver its negotiable bonds or notes from time to time and in such amount or amounts as it may consider necessary. The fees and charges so fixed for the use of any such building or buildings shall not be collected after payment in full shall have been completed for the building or buildings for which said fees shall be pledged. Thereafter the right of said respective Boards to fix charges and fees shall depend on laws other than this Act as hereby amended. Any bonds or notes issued hereunder shall bear interest at not to exceed six (6%) per cent per annum, and shall finally mature not more than forty years from date.

Sec. 3. Subject to the above restrictions, each of said Boards is given complete discretion in fixing the form, conditions and details of such bonds or notes. Any bonds or notes issued hereunder shall not be an indebtedness of the State of Texas, but shall be payable solely from the revenues to be derived from the operation of said

buildings; provided that such bonds may be refinanced by the said Boards whenever such action is found by the Board to be necessary.

Provided, however, that the provisions of this Act shall not apply to any proceedings, levies, or to any bonds or warrants issued thereunder, the validity of which has been contested or attached in suit or litigation which is pending at the time this Act becomes a law, or which may be filed within thirty (30) days after this Act becomes a law.

Sec. 4. Each of said Boards is authorized and empowered to pledge all or a part of such revenues to the payment of such bonds or notes, and to enter into such agreements regarding the imposition of sufficient charges and the collection, pledge and disposition of such revenues as it may deem proper. In all cases where existing buildings or structures are repaired or enlarged or to which additions are constructed, the Board shall also have the power and are hereby authorized to pledge, incumber and/or dispose of the net revenues of such existing buildings or structures as well as to pledge, incumber and/or dispose of the revenue derived from the additions or improvements to such structures.

Each of said Boards is hereby authorized and empowered to enter into contracts with municipalities or school districts for the joint construction of museum, library buildings, or such other buildings as may be deemed necessary.

Each of said Boards is hereby authorized and empowered to pledge the unused part of any revenues from self-liquidating buildings for the construction of any other buildings such Board may deem necessary. Each of said Boards is authorized and empowered to pledge the rentals of dormitories, cottages, or other income bearing property for the repair, enlargement, or construction of any other buildings such Board may deem necessary.

Sec. 5. Each of said Boards is authorized to enter into agreements relating to the maintenance of a maximum percentage of occupancy of such dormitories.

Sec. 6. Upon the acquisition, construction, or erection of such building or buildings, absolute control and management shall vest in the respective board of the institution of the building so constructed or acquired, subject to any condition that may be provided in the grant.

Sec. 7. It is further provided that land owned by the State or any of said institutions may be used as building sites and ground for such buildings acquired under the provisions of this Act.

Sec. 8. Provided further that each of said Boards is hereby authorized to acquire by gift or by purchase out of funds derived by pledging the revenues as herein provided such tracts of land, without cost to the State of Texas as may be necessary as building sites and grounds for the erection of such buildings.

Sec. 9. Provided further that each of said Boards may make such contracts as may be necessary to properly carry out the provisions of this Act.

Sec. 10. Should any part or section of this Act be held to be unconstitutional, it shall not affect any other section or part hereof.

Sec. 11. To the extent that this Act specifies the inclusion of the power to build libraries, student activities buildings, gymnasias, athletic buildings and stadia, it shall be considered as declaratory of the existing law which by the use of general terms already included the power to acquire said buildings. This Act shall not repeal any statute now in effect but shall be cumulative of all other statutes affecting said institutions, and shall not modify or abridge any powers now held by any of said institutions to control or pledge its funds, provided, however, that to the extent that the provisions of this Act may be in conflict with the provisions of any other law, including those of Chapter 237, Acts of the Fortieth Legislature, Chapter 196, Acts of the Forty-third Legislature, and Chapter 221, Acts of the Regular Session of the Forty-third Legislature, the provisions of this Act shall take precedence and prevail, it being the intention of the Legislature to confer authority on the governing boards of said institutions to establish fees and charges to be made for the use of the buildings to be constructed under the law amended hereby, and to pledge said revenues as herein provided.

Sec. 12. It is provided further that any contract or agreement heretofore entered into, or any application now pending for the acquisition, erection, construction, or equipment of any building by either of said Boards is hereby authorized, ratified, validated, and confirmed. [*Vernon, 2603c.*]

Section 1. That severally all the acts of the Board of Regents of The University of Texas, the Board of Directors of the Agricultural and Mechanical College of Texas, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the Texas State College for Women, and the Board of Directors of the Texas College of Arts and Industries, heretofore had in the authorization, issuance, and delivery of bonds, notes or warrants, evidencing loans made to accomplish purposes authorized under the provisions of Chapter 5, Acts of the Second Called Session of the Forty-third Legislature, and amendments thereto, and all other laws of the State of Texas, relating to such bonds, notes or warrants, including the construction, acquisition and equipping of dormitories, kitchens and dining halls, hospitals, libraries, student activity buildings, gymnasias, athletic buildings and stadia, and other buildings, are hereby in all things validated. Any such bonds, notes or warrants heretofore issued, or that may be issued hereafter, pursuant to any order or resolution of any such Board of Directors or Board of Regents heretofore adopted, are in all things fully validated, and such bonds, notes or warrants, the pledge of

the revenues by any such Board of Directors or such Board of Regents to secure and assure the payment of such obligations, and the provisions and covenants as to rates and charges supporting such pledges, are in all things ratified, and such bonds, notes or warrants are hereby declared to be the valid and binding special obligations of such Board of Directors or such Board of Regents, to be paid out of revenues pledged and not otherwise obligations of such respective institutions. It is hereby made the duty of said Boards of Directors and of said Boards of Regents to fix, maintain and collect charges or rates, sufficient for a reasonable reserve and to pay the interest as it accrues and the principal as it matures of any such bonds, notes or warrants heretofore or hereafter authorized by such Boards.

Provided, however, that the provisions of this Act shall apply only to such bonds, notes, or warrants as have heretofore or may hereafter be purchased by the Government of the United States or some agency thereof, or which bonds, notes, or warrants are under contract of purchase by the Federal Government or any agency thereof. [Vernon, 2603c-1.]

Section 1. That severally all the acts of the Board of Regents of The University of Texas, the Board of Directors of the Agricultural and Mechanical College of Texas, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the Texas State College for Women, and the Board of Directors of the Texas College of Arts and Industries, heretofore had in the authorization, issuance, and delivery of bonds, notes or warrants, evidencing loans made to accomplish purposes authorized under the provisions of Chapter 5, Acts of the Second Called Session of the Forty-third Legislature, and amendments thereto, and all other laws of the State of Texas, relating to such bonds, notes, or warrants, including the construction, acquisition and equipment of dormitories, kitchens, and dining halls, hospitals, libraries, student activity buildings, gymnasias, athletic buildings and stadia, dormitories for help, laundries, and other buildings, are hereby in all things validated. Any such bonds, notes or warrants heretofore issued, or that may be issued hereafter, pursuant to any order or resolution of any such Board of Directors or Board of Regents heretofore adopted, are in all things fully validated, and such bonds, notes, or warrants, the pledge of the revenues by any such Board of Directors or such Board of Regents to secure and assure the payment of such obligations, and the provisions and covenants as to rates and charges supporting such pledges, are in all things validated, and such bonds, notes, or warrants are hereby declared to be the valid and binding special obligations of such respective Boards of Directors or Boards of Regents, secured by the revenues pledged and not otherwise. It is hereby made the duty of each such Board of Directors or Board of Regents to fix, maintain, and collect charges

or rates, sufficient for a reasonable reserve and to pay the interest as it accrues and the principal as it matures of such bonds, notes, or warrants heretofore or hereafter authorized by such Board, as provided in the resolution authorizing such bonds, notes, or warrants. [Vernon, 2603c-2.]

Section 1. The Board of Directors of Texas Technological College, the Board of Directors of the Texas Agricultural and Mechanical College, the Board of Regents of The University of Texas, the Board of Directors of the State Teachers Colleges of Texas, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries, are hereby authorized and empowered to erect and equip, and to contract with any person, firm or corporation, for the erection, completion and equipping of dormitories, cottages or stadiums, to be erected either on the campus or real estate then owned by said colleges, or on other real estate purchased or leased for the purpose, and the said Board of Directors are hereby expressly authorized to purchase, or lease, additional real estate for such purposes, provided said Institutions have sufficient surplus from local funds, but not exceeding twenty-five (25%) per cent of the total for any fiscal year, to pay cash for any purchase of land; or the purchase of land is made from funds derived from the sale of revenue bonds or notes. The bonds or notes authorized herein are to be paid solely from the revenues of the dormitories, cottages and stadium, and shall never be charged against the State nor any appropriation made by the State nor shall any portion of said appropriation ever be used for the payment of said notes or bonds; nor shall any local or institutional funds in excess of twenty-five (25%) per cent of the total for any calendar year ever be used for the payment of said notes or bonds. It being the intention of the Legislature to authorize the payment of said notes and bonds solely from revenues derived from the improvements authorized herein and an emergency to be supplemented from local funds not exceeding twenty-five (25%) per cent for any fiscal year.

Sec. 2. The Boards aforesaid are hereby authorized and empowered to enter into contracts with municipalities or school districts for the joint construction of museums, library buildings, or such other buildings as may be deemed necessary.

Sec. 3. In payment for the erection, completion and equipping of such dormitories, cottages and stadiums, and the purchase of the necessary sites thereto, the Boards aforesaid are further authorized and empowered to issue their obligations in such sum or sums and upon such terms and conditions as to said directors may seem advisable, and as security for the payment thereof to pledge the net rents, fees, revenues and incomes from the improvements to be erected hereunder. Any bonds or notes issued hereunder shall bear

interest at the rate not to exceed six (6%) per cent per annum and shall finally mature not more than twenty years from date.

Sec. 4. The aforesaid Boards are hereby authorized and empowered to pledge the unused part of any revenues from self-liquidating buildings for the construction of additions to said buildings or the construction of any other buildings and the purchase of the necessary sites thereto such Boards may deem necessary, provided that any subsequent issue of revenue bonds or notes shall be a second lien on said net revenues, rents, fees, and incomes and shall be inferior to any outstanding revenues, bonds, or notes which are secured by a pledge of said net revenues, rents, fees and incomes.

Sec. 5. The Boards aforesaid are hereby authorized and directed to establish and maintain such schedule of rates, fees and charges for the use of the facilities afforded by its dormitories, cottages and stadiums, and the revenue from the athletic fields and stadiums, which rates, fees and charges shall be in an amount at least sufficient to pay the operating and maintenance charges thereof and to pay the principal and interest representing the indebtedness against said revenues, rents, fees and incomes.

Provided that the fees to be charged for the use of any buildings shall not exceed the maximum fee per semester specified in Chapter 459, Acts of the Second Called Session of the Forty-third Legislature, 1935, or Acts amendatory thereto.

Sec. 6. In payment for the erection, completion and equipping of such dormitories, cottages and stadium, and the purchase of the necessary sites thereto, the Boards aforesaid shall not in any manner nor to any extent incur indebtedness against themselves or the State of Texas, and the obligation or obligations authorized by this Act shall never be a personal obligation of the colleges above named, or the State of Texas; but such obligations shall be discharged solely from the revenues herein authorized to be pledged for the purpose.

Sec. 7. All revenue bonds shall be examined and approved by the Attorney General of the State of Texas; and the State Auditor shall approve such revenue bonds or revenue notes after an examination of revenues which shows a reasonable prospect of adequate rents, income, fees or charges to pay principal and interest, and all approved bonds shall be registered in the office of the Comptroller of Public Accounts of the State of Texas.

Sec. 8. The aforesaid Boards are hereby empowered to do any and all things necessary and convenient to carry out the purpose and intent of this law.

Sec. 9. It is the intention of the Legislature that the State of Texas shall never be called upon to supplement, by emergency or general appropriation, any of the local funds of any institution which takes advantage of the provisions of this Act. The governing boards of such institutions are directed not to make any appropriation from

the local funds of such institutions when in so doing it will necessitate the Legislature supplementing such local funds. It is further provided that the Legislature shall never make an appropriation for the purpose of equipping (including utility connections) or maintaining any building erected under the provisions of this Act. [Vernon, 2909a.]

Building use fees

Section 1. The Board of Regents of The University of Texas and its branches, the Board of Directors of the Agricultural and Mechanical College and its branches, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Directors of the Texas State College for Women, and the Board of Directors of the College of Arts and Industries, are hereby severally authorized and empowered to charge each student enrolled in such institution a building use fee of not exceeding Five Dollars (\$5) per semester, provided, however, this fee shall be a part of the fees now collected and no additional fees shall be collected for any purpose, all or a portion of which may be pledged for the retirement of bonds for the construction and equipment of buildings and power plants, the paving of streets, the purchase of land, and for such other capital improvements as may be needed from time to time for the efficient functioning of the aforesaid institutions, subject to the provisions of this Act, provided, however, that the building use fee herein authorized to be collected shall be included as a part of the fees authorized to be collected by Article 2654c of the Revised Civil Statutes of the State of Texas, Acts of the Forty-third Legislature, page 596, Chapter 196, and the governing boards of the several institutions of higher learning herein enumerated shall not increase tuition at said institutions in excess of the amounts authorized by said Article 2654c.

Sec. 2. The acquisition and the construction of the capital improvements contemplated in this Act shall be made without cost to the State of Texas, and no bonds issued for such improvements shall constitute a debt of the State of Texas in any manner whatsoever, but shall be a charge only against those revenues specifically pledged for their payment, provided, however, that the Legislature shall never make an appropriation out of the General Fund of the State, either in the Regular Appropriation Bill or in a Supplemental or Emergency Appropriation Bill, for the purpose of equipping or furnishing or for the purpose of purchasing or installing any utility connections in any of the buildings erected or improved by virtue of the provisions of this Act.

Sec. 3. The building use fee authorized by this Act, when collected, shall be deposited in the depository bank of the institution collecting the tax or in such other depository as may be designated by

such Board. The funds accruing from the building use fee shall be deposited in a special account definitely describing the purpose for which the fee was collected and the object or objects for which it is to be applied, and all funds deposited in such special accounts shall be accorded the same protection by the pledging of assets of the depository as is now required or may hereafter be required by law for the protection of public funds.

Sec. 4. Such fees shall be collected at the time the regular registration fees are collected and by the same officials collecting the registration fees.

Sec. 5. Students taking less than twelve (12) credit hours of work shall pay such fractional part of the fee fixed for those taking twelve (12) or more credit hours as the ratio of the hours actually taken bears to twelve (12). The fee for students in the summer session shall be computed on the same basis as for students enrolling for twelve (12) hours or less in the long session.

Sec. 6. For the purpose of constructing or otherwise acquiring, improving, or equipping any one or more of the buildings, power plants, or streets, or acquiring lands authorized by Section 1 of this Act, the governing body of each of said institutions is authorized to issue, sell, and deliver its negotiable revenue bonds from time to time in such amount or amounts as it may consider necessary. Bonds issued under this Act shall mature serially or otherwise in not exceeding thirty (30) years from their date, bear interest at not exceeding four (4) per cent per annum, shall be payable at such place or places, may contain option of payment prior to maturity and such provisions for registration as to ownership, as shall be determined by said Board. To assure the prompt payment of the principal and interest of said bonds, such Board is authorized to pledge all or any portion of the proceeds of the building use fee authorized in Section 1 of this Act, and said bonds may be additionally secured by a pledge of the net revenues from buildings and facilities to be constructed, acquired, or improved with the proceeds of such bonds and from other buildings or facilities heretofore or hereafter constructed or acquired. When such bonds are secured solely by the building use fees authorized in this Act, it shall be the duty of such governing body to fix the amount of such fees (within the maximum rate of Five Dollars (\$5) per semester) so that the proceeds therefrom will be sufficient to pay the interest and principal on said bonds as they mature and accrue and to provide a reasonable reserve in the interest and sinking fund of the bonds. When such bonds are secured in whole or in part by a pledge of the net revenues from buildings or facilities, it shall be the duty of such governing body to fix rentals and charges for the buildings and facilities whose net revenues are thus pledged, at rates sufficient to pay the maintenance and operation expense of such buildings and facilities and

to produce net revenues which, together with the building use fee authorized in Section 1 of this Act, will be sufficient to pay the interest and principal of such bonds as they accrue and mature.

Sec. 7. The governing Boards of the aforesaid institutions shall not be permitted to contract bonded indebtedness under the terms of this Act in excess of eighty (80) per cent of the amount which can be amortized with the revenues from said building use fee estimated at the time of the authorization of such revenue bonds. Revenues accruing from said fee in excess of the amount normally required for the orderly retirement of said bonds shall be held as surplus in the special bond account designated in Section 3 of this Act as a contingent fund for use when necessary in the event of a reduction of income from a decrease of enrollment.

Sec. 8. Bonds issued under the provisions of this Act shall be eligible investments for the Permanent School Fund of Texas.

Sec. 9. Before any such bonds are delivered to the purchaser the record pertaining thereto shall have been examined by the Attorney General and said record and bonds shall be approved by the Attorney General. After such approval the bonds shall be registered in the office of the Comptroller of Public Accounts. Such bonds, having been approved by the Attorney General, registered in the Comptroller's office, shall be held in every action, suit, or proceeding in which their validity is or may be brought into question, valid and binding obligations. In every action brought to enforce collection of such bonds or any rights incident thereto, the certificate of approval by the Attorney General or a duly certified copy thereof, shall be admitted and received in evidence of its validity. The only defense which can be offered against the validity of such bonds shall be forgery or fraud. [*Vernon, 2654c-1.*]

Fire escapes

Each building which is or may be constructed within this State three or more stories in height, which is owned by this State, or by any city, county or school district, and in which building public assemblies are permitted or intended to be permitted, or in which schools of any kind are conducted, or in which sleeping apartments are permitted or intended to be permitted on any floor above the first, shall be provided and equipped with at least one adequate fire escape if the lot area of such building shall not exceed five thousand square feet, and one additional adequate fire escape for each five thousand square feet, or fraction thereof if such fraction exceeds two thousand square feet in excess of the first five thousand square feet of lot area. [*Vernon, 3959.*]

CHAPTER IX

BUSINESS ROUTINE

Purchasing

[See "Board of Control"; in particular, see Vernon, 634, 642, 646, 648, and 661.]

Section 1. That it shall be unlawful for any State officer or employees to purchase or contract for the purchase of any passenger automobile for himself or another to be paid for out of funds of the State of Texas, or for any department thereof, the cost of which passenger automobile exceeds Eight Hundred and Fifty (\$850.00) Dollars, inclusive of a trade-in on an older motor vehicle or automobile.

Sec. 2. It shall be unlawful for the Comptroller of the State of Texas to issue or pay any warrant in violation of this Act. [Vernon, 419a P. C.]

Inscription on State vehicles

There shall be printed upon each side of every automobile, truck or other motor vehicle owned by the State of Texas the word "Texas," followed in letters of not less than two (2) inches high by the title of the department, bureau, board, commission or official having the custody of such car, and such inscription shall be in a color sufficiently different from the body of the car so that the lettering shall be plainly legible at a distance of not less than one hundred (100) feet and the official having control thereof shall have such wording placed thereon as prescribed herein and whoever drives any automobile, truck or other motor vehicle belonging to the State upon the streets of any town or city or upon a public highway without such inscription printed thereon shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100). [Vernon, 821 P. C.]

Reports on State vehicles

Whoever uses an automobile or truck owned by this State for any purpose shall make a written report of such use to the head of the department, institution, board, commission or other agency of this State having charge of such automobile or truck, such reports to be made daily when such vehicles are in use, a separate report being made for each day, and such reports shall be made on forms prescribed by the State Auditor. Such reports shall show the purpose for which such vehicle was used, the mileage traveled, the amounts of gasoline and oil consumed, the passengers carried, and such other information as may be necessary to provide a proper record of the use of such vehicle. Said reports shall be official records of the State and shall be subject to inspection by any official of this State who shall be authorized to audit or inspect claims, accounts or records of any

State Department, Institution, Board, Commission or Agency of the State. [Vernon, 146a P. C.]

Traveling expenses

The traveling and other necessary expenses incurred by the various officers, assistants, deputies, clerks and other employees in the various departments, institutions, boards, commissions or other subdivisions of the State government, in the active discharge of their duties shall be such as are specifically fixed and appropriated by the Legislature in the general appropriation bills providing for the expenses of the State government from year to year. When appropriations for traveling expenses are made any allowances or payments to officials or employes for the use of privately owned automobiles shall be on a basis of actual mileage traveled for each trip or all trips covered by the expense accounts submitted for payment or allowance from such appropriations, and such payment or allowance shall be made at a rate not to exceed five (5c) cents for each mile actually traveled, and no additional expense incident to the operation of such automobile shall be allowed. [Vernon, 6823.]

CHAPTER X

MISCELLANEOUS STATUTES

Hazing

No student of The University of Texas, of the A. & M. College of Texas, of any normal school of Texas, or of any other State educational institution of this State, shall engage in what is commonly known and recognized as hazing, or encourage, aid or assist any other person thus offending.

"Hazing" is defined as follows:

1. Any wilful act by one student alone or acting with others, directed against any other student of such educational institution, done for the purpose of submitting such student made the subject of the attack committed, to indignity or humiliation, without his consent.
2. Any wilful act of any one student alone, or acting with others, directed against any other student of such educational institution, done for the purpose of intimidating such student attacked by threatening such student with social or other ostracism, or of submitting such student to ignominy, shame, or disgrace among his fellow students, and acts calculated to produce such results.
3. Any wilful act of any one student alone, or acting with others, directed against any other student of such educational institution, done for the purpose of humbling, or that is reasonably calculated to humble the pride, stifle the ambition, or blight the courage of such student attacked or to discourage any such student from longer remaining in such educational institution or to reasonably cause him to leave such institution rather than submit to such acts.

4. Any wilful act by any one student alone, or acting with others, in striking, beating, bruising or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim, or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution or any assault upon any such students made for the purpose of committing any of the acts, or producing any of the results to such student as defined in the preceding subdivisions of this article. [*Vernon, 1152 P. C.*]

No teacher, instructor, member of any faculty, or any officer or director, or a member of any governing board of any of such educational institutions shall knowingly permit, encourage, aid or assist any student in committing the offense of hazing, or wilfully acquiesce in the commission of such offense, or fail to promptly report his knowledge or any reasonable information within his knowledge of the presence and practice of hazing in the institution in which he may be serving to the executive head or governing board of such institution. Any act of omission or commission shall be deemed "hazing" under the provisions of this chapter. [*Vernon, 1153 P. C.*]

Any student of any of the said State educational institutions of this State who shall commit the offense of hazing shall be fined not less than twenty-five nor more than two hundred and fifty dollars or shall be confined in jail not less than ten days nor more than three months or both. [*Vernon, 1154 P. C.*]

Any teacher, instructor, or member of any faculty, or officer or director of any such educational institution who shall commit the offense of hazing shall be fined not less than fifty or not more than five hundred dollars, or shall be imprisoned in jail not less than thirty days or not more than six months, or both, and in addition thereto shall be immediately discharged and removed from his then position or office in such institution, and shall thereafter be ineligible to reinstatement or reemployment as teacher, instructor, member of faculty, officer, or director in any such State educational institution for a period of three years. [*Vernon, 1155 P. C.*]

Nothing herein shall be construed as in any manner affecting or repealing any law of this State respecting homicide, or murder, manslaughter, assault with intent to murder, or aggravated assault. [*Vernon, 1156 P. C.*]

Board of Library Examiners

A commission is hereby created to be known as the State Board of Library Examiners, consisting of the State Librarian, who shall be ex-officio chairman of the Board; the Librarian of the State University, who shall be an ex-officio member; and three other well trained librarians of the State who shall at first be selected by the State Librarian and the Librarian of the State University. The term of each shall be for six years, one of the appointive members

retiring every two years. His successor shall be chosen by the remaining members of the Board in executive session. The members of said board shall receive no compensation for their services except actual and necessary traveling expenses paid out of the State library fund. Said Board shall arrange for an annual meeting and for such other meetings as may be necessary in the pursuance of its duties. Said board shall pass upon the qualifications of all persons desiring to become county librarians in the State of Texas, and may in writing adopt rules and regulations not inconsistent with the law for its government and for carrying out the purposes of this title. [*Vernon, 1682.*]

Laboratories for highway testing

The laboratories maintained at the Agricultural and Mechanical College of Texas and at The University of Texas shall be at the disposal and direction of the Highway Engineer for the purpose of testing and analyzing road and bridge material, and those in charge of said laboratories shall cooperate with and assist said Engineer to that end. [*Vernon, 6671.*]

Certified copies of public records

The librarian of The University of Texas and the archivist of the Department of History of said University are hereby authorized to make certified copies of all public records in the custody of The University of Texas and said certified copies shall be valid in law and shall have the same force and effect for all purposes as if certified to by the county clerk or other custodian as now provided for by law. In making the certificate to the said certified copies, either by the librarian or by the archivist of the Department of History, the said officer shall certify that the foregoing is a true and correct copy of said document, and after signing the said certificate shall swear to the same before any officer authorized to take oaths under the laws of this State. [*Vernon, 259.*]

Loan of archives

County commissioners and other custodians of public records are hereby authorized, in their discretion, to lend to the Library of The University of Texas, for such length of time and on such conditions as they may determine, such parts of their archives and records as have become mainly of historical value, taking a receipt therefor from the librarian of such University; and the librarian of said University is hereby authorized to receipt for such records as may be transferred to the said Library, and to make copies thereof for historical study. [*Vernon, 260.*]

Supreme Court authorized to transfer books, etc.

(b) The Supreme Court of Texas is authorized to transfer any books, papers, or publications located in and belonging to the

Supreme Court library in the State Capitol, from such library to the library of the Law School of The University of Texas. Such transfer shall be made only on the unanimous vote of the Justices of such Court. The Court by a majority vote may recall any books, papers, or publications transferred by authority of this Act. [*Vernon, 1722.*]

State library authorized to transfer books, etc.

(b) The Commission (Texas Library and Historical Commission) shall have the power and authority to transfer books and documents to other libraries which are supported by State appropriation when in the opinion of the Commission, such transfer would be desirable for the benefit of the Texas State Library, and provided further that such transfer shall be permanent or temporary as may be decided by the Commission. The Commission shall have further power to exchange duplicate books and documents or to dispose of such books and documents to any public library, state or local, when such books and documents are no longer needed by the Texas State Library. No books or documents which constitute the archives of the Texas State Library shall ever be affected by this Act. [*Vernon, 5436.*]

Teacher Retirement System

Section 48a. In addition to the powers given to the Legislature, under Section 48 of Article III, it shall have the right to levy taxes to provide a Retirement Fund for persons employed in public schools, colleges and universities, supported wholly or partly by the State; provided that the amount contributed by the State to such Retirement Fund shall equal the amount paid for the same purpose from the income of each such person, and shall not exceed at any time five per centum of the compensation paid to each such person by the State, and/or school districts, and shall in no one year exceed the sum of One Hundred Eighty (\$180.00) Dollars for any such person; provided no person shall be eligible for a pension under this Amendment who has not taught twenty years in the State of Texas, but shall be entitled to a refund of the moneys paid into the fund.

All funds provided from the compensation of said persons, or by the State of Texas, for such Retirement Fund, as are received by the Treasury of the State of Texas, shall be invested in bonds of the United States, the State of Texas, or counties or cities of this State, or in bonds issued by any agency of the United States Government, the payment of the principal of and interest on which is guaranteed by the United States; provided that a sufficient amount of said funds shall be kept on hand to meet the immediate payment of the amounts that may become due each year under such retirement plan as may be provided by law; and provided that the recipients of such retirement fund shall not be eligible for any other pension retirement funds or direct aid from the State of Texas, unless such

retirement fund, contributed by the State, is released to the State of Texas as a condition to receiving such other pension aid. [*Constitution, III, 48a.*]

Section 1. Definitions. The following words and phrases as used in this Act, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) 'Retirement System' shall mean the Teachers Retirement System of Texas as defined in Section 2 of this Act.

(2) 'Public school' shall mean any educational organization supported wholly or partly by the State under the authority and supervision of a legally constituted board or agency having authority and responsibility for any function of public education.

(3) 'Teacher' shall mean a person employed on a full time, regular salary basis by boards of common school districts, boards of independent school districts, county school boards, Retirement Board of Trustees, State Board of Education and State Department of Education, boards of regents of colleges and universities, and any other legally constituted board or agency of an educational institution or organization supported wholly or partly by the State. In all cases of doubt, the Retirement Board of Trustees, hereinafter defined, shall determine whether a person is a teacher as defined in this Act. A teacher shall mean a person rendering service to organized public education in professional and business administration and supervision and in instruction, in public schools as defined in Subsection (2) of this Section.

(4) 'Taught' shall mean all regular services contributing directly and indirectly to the instruction offered by and through the teachers as defined in Subsection (3) of this Section.

(5) 'Employer' shall mean the State of Texas and any of its designated agents or agencies with responsibility and authority for public education, such as the common and independent school boards, the boards of regents of State colleges and universities, the county school boards, or any other agency of and within the State by which a person may be employed for service in public education.

(6) 'Member' shall mean any teacher included in the membership of the system as provided in Section 3 of this Act.

(7) 'State Board of Trustees' shall mean the Board provided for in Section 6 of this Act to administer the Retirement System.

(8) 'Service' shall mean service as a teacher as described in Subsection (3) of this Section.

(9) 'Prior service' shall mean service rendered prior to the date of establishment of the Retirement System.

(10) 'Membership service' shall mean service as a teacher rendered while a member of the Retirement System.

(11) 'Creditable service' shall mean 'prior service' plus 'membership service' for which credit is allowable as provided in Section 4 of this Act.

(12) 'Beneficiary' shall mean any person in receipt of an annuity, a retirement allowance, or other benefit as provided by this Act.

(13) 'Regular interest' shall mean interest at the rate of three and one-half (3½) per centum per annum, compounded annually.

(15) 'Accumulated contributions' shall mean the sum of all the amounts deducted from the compensation of a member, and credited to his individual account in the Teacher Saving Fund, together with all current interest credits thereto, as provided in Section 8 of this Act.

(16) 'Earnable compensation' shall mean the full rate of the compensation that would be payable to a teacher if he worked the full normal working time. In cases where compensation includes maintenance, the State Board of Trustees shall fix the value of that part of the compensation not paid in money.

(17) 'Average prior-service compensation' shall mean the average annual compensation of a member during the ten (10) years immediately preceding the enactment of this law, or if he had less than ten (10) years of such service, then his average compensation shall be computed for his total years of such prior service, but in computing the average, no salary for any one year shall be more than Three Thousand Dollars (\$3,000).

(18) 'Membership annuity' shall mean payments for life actuarially determined and derived from reserve funds contributed by a member and an equal amount of reserve funds contributed by the State. All membership annuities shall be payable in equal monthly installments.

(19) 'Prior-service annuity' shall mean payment each year for life of one per centum of a member's average prior-service compensation, as defined in this Act, multiplied by the number of years of Texas service certified in his prior-service certificate; provided that the maximum number of years of prior service to be allowed shall be thirty-six (36) years, and in computing his average prior-service compensation, the maximum prior-service salary shall be Three Thousand Dollars (\$3,000). All prior-service annuities shall be payable in equal monthly installments.

(20) 'Service retirement allowance' shall mean a membership annuity and a prior-service annuity, or any optional benefits payable in lieu thereof.

(21) 'Disability retirement allowance' shall mean a membership annuity and fifty (50) per centum of a prior-service annuity.

(22) 'Retirement' shall mean withdrawal from service with a retirement allowance granted under the provisions of this Act.

(23) 'Service retirement' shall mean the retirement of a member from service with a service retirement allowance at any time after twenty (20) years of creditable service in Texas and after attaining sixty (60) years of age.

(24) 'Disability Retirement' shall mean withdrawal from service on a disability allowance any time after twenty (20) years of creditable service in Texas and before attaining sixty (60) years of age.

(25) 'Membership annuity reserve' shall mean the present value computed upon the basis of such annuity or mortality tables as shall be adopted by the State Board of Trustees with regular interest, of all payments to be made on account of any membership annuity or benefit in lieu thereof, granted to a member under the provisions of this Act.

(26) 'Actuarial equivalent' shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the State Board of Trustees, and regular interest.

(27) 'School year' shall mean the year beginning on or about September 1st and ending on or about August 31st.

Sec. 2. Name and Date of Establishment. A Retirement System is hereby established and placed under the management of the State Board of Trustees as hereinafter created for the purpose of providing retirement allowances and other benefits under the provisions of this Act for teachers as defined in this Act. The Retirement System so created shall be established as of July 1, 1937.

It shall have the power and privileges of a corporation and shall be known as the "Teacher Retirement System of Texas," and by such name all of its business shall be transacted, all of its funds invested and all of its cash and securities and other property held.

Section 3. Membership. The membership of said Retirement System shall be composed as follows:

(1) All persons who are teachers on the date as of which the Retirement System is established shall become members as of that date as a condition of their employment unless within a period of ninety (90) days after September 1, 1937, any such teacher shall file with the State Board of Trustees on a form prescribed by such Board, a notice of his election not to be covered in the membership of the System and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the Retirement System.

(2) Beginning September 1, 1938, and thereafter any teacher teaching for the first time in Texas shall become a member of the Retirement System as a condition of his employment.

(3) Should any member in any period of six (6) consecutive years after becoming a member be absent from service more than five (5) years, or should he withdraw his accumulated contributions, or should he become a beneficiary, or upon death, he shall thereupon cease to be a member. However, during the time the United States is in a state of war and for a period of twelve (12) months thereafter, time spent by a member of the Teacher Retirement System (1) in the Armed Forces of the United States of America and their

auxiliaries and/or in the Armed Forces Reserve of the United States of America and their auxiliaries and/or in the service of the American Red Cross as a result of having volunteered or having been drafted and/or conscripted thereinto, or (2) in war work as a direct result of having been drafted and/or conscripted into said war work, shall not be construed as absent from service in so far as the provisions of this Act are concerned, but shall count towards membership service.

(4) Any teacher who elects not to become a member of the Retirement System as herein provided as of September 1, 1937, and the ninety (90) days next following, may make application to become a member at the beginning of any new school year, but without claim for prior-service credit.

(5) Anyone who has taught in the State of Texas in accordance with the terms of this Act, but who is not in service during the year in which the Act becomes effective, shall, if he becomes a teacher within two (2) years of the date on which this Act becomes effective, and if he continues as such for a period of five (5) consecutive years, be entitled to receive credit and resulting benefits for prior-service as provided for in this Act.

Section 4. Creditable Service.

(1) Under such rules and regulations as the State Board of Trustees shall adopt each person who was a teacher, as defined in this Act, at any time during the year immediately preceding the establishment of the System, and who becomes a member during the first year of operation of the Retirement System, or who is a member at the beginning of the school year 1937-1938, shall file a detailed statement of all Texas service, as a teacher, rendered by him prior to the date of establishment of the Retirement System for which he claims credit.

(2) The State Board of Trustees shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one school year.

(3) Subject to the above restrictions and to such other rules and regulations as the State Board of Trustees may adopt, the State Board of Trustees shall verify and adjust, as soon as practicable after the filing of such statements of service, the service therein claimed.

(4) Upon adjustment and verification of the statements of service, the State Board of Trustees shall issue prior-service certificates certifying to each member the length of Texas service rendered prior to the date of the establishment of the Retirement System, with which he is credited on the basis of his statement of service. So long as membership continues, a prior-service certificate shall be final and conclusive for retirement purposes as to such service, provided, however, that any member may, within one (1) year from the date of

issuance or modification of such certificate, request the State Board of Trustees to modify or correct his prior-service certificate.

When membership ceases, such prior-service certificate shall become void. Should the employee again become a member, such a person shall enter the System as a member not entitled to prior-service credit except as provided in Section 5, subsection (5), paragraph (b) of this Act.

(5) Creditable service at retirement on which the retirement allowance of a member shall be based, shall consist of the membership-service rendered by him since he last became a member, and also, if he has a prior-service certificate which is in full force and effect, the amount of the service credited on his prior-service certificate. No member shall be entitled to a retirement allowance until he has accumulated twenty (20) or more years of creditable service in Texas.

Section 5. Benefits.

1. Service Retirement Benefits.

Any member may retire upon written application to the State Board of Trustees. Retirement shall be effective as of the end of the school year then current, provided that the said member at the time so specified for his retirement shall have attained the age of sixty (60) years and shall have completed twenty (20) or more years of creditable service, and provided further that no retirement shall be effective prior to August 31, 1941. Any member in service who has attained the age of seventy (70) years shall be retired forthwith, provided that with the approval of his employer he may remain in service. Any member who has accepted service retirement shall be ineligible and disqualified to resume and/or continue teaching in the public schools of Texas, and also shall be ineligible and disqualified to be otherwise employed as a teacher under this Act; provided, however, that during the present world conflict, commonly called 'World War II,' and for a period of twelve (12) months thereafter, a retired member who retired August 31, 1942, and prior thereto (and only such retired members), shall not be ineligible and disqualified as above stated but may be employed as a teacher under the terms of this Act; provided however, that during said time that a retired member is so employed, retirement benefit payments that would otherwise have been paid to said member shall be suspended and shall be resumed again when said member leaves said employment permanently; provided further that during the time that said retired teacher member is employed as a teacher, as above specified and limited, no retirement deductions shall be made from his salary, and the retirement benefits that are paid to said retired member after the benefits are again resumed shall be in the same amount as were paid on the original retirement; provided that if a retired member returns to teaching as above outlined, during the time he is so teaching both the membership annuity payment and the prior service

annuity payment, to which said retired member would have been entitled if he had not so returned to teaching, shall be transferred to the State Membership Accumulation Fund; provided further that if a retired member who elected to receive an annuity in a guaranteed payment for a certain number of years after retirement returns to teaching as above specified, the time so spent teaching by such retired member after the initial or original retirement shall count as time within said certain number of years the same as if said retired member had not returned to teaching; provided further that any retired member who accepts employment as a teacher, except in the present world conflict and for twelve (12) months thereafter, as above specified, shall forfeit all rights as a retired teacher and any and all claims to any retirement benefits under this Act; provided further that every retired member is charged with the knowledge of all these provisions and by returning to teaching shall be deemed to have accepted the same.

2. Allowance for Service Retirement.

Upon retirement for service a member shall receive a service retirement allowance consisting of a membership annuity, which shall be the actuarial equivalent of his membership annuity reserve, and a prior-service annuity to which his creditable service and membership in the Teacher Retirement System entitles him under the provisions of this Act.

(a) His membership annuity reserve shall be derived from:

(1) His accumulated contributions credited to his account in the Teacher Saving Fund at the time of retirement; and

(2) An additional sum from the State Membership Accumulation Fund equal to the accumulated contributions provided by the member in Subsection (1) of Paragraph (a) of this Subsection.

(b) If he has a prior-service certificate in full force and effect, the prior-service annuity shall be one per centum of his average prior-service compensation, as defined in this Act, multiplied by the number of years of Texas service certified in his prior-service certificate; provided that the maximum number of years of prior-service to be allowed shall be thirty-six (36) years and that in computing his average prior-service compensation, the maximum prior-service salary shall be Three Thousand Dollars (\$3,000); provided that the State Board of Trustees shall have an actuarial and statistical study made at least once every five (5) years showing annual trends. Upon the recommendation of the actuary, the State Board of Trustees shall have the power to reduce proportionately all payments for prior-service annuities at any time and for such period of time as is necessary so that the payments to beneficiaries for prior-service annuities in any biennium shall not exceed the available assets for payment of prior-service annuities in such biennium. Available assets shall mean the amount of assets in the Prior-Service Annuity

Reserve Fund at the beginning of any biennium plus all payments calculated to be made to the Prior-Service Annuity Reserve Fund during such biennium.

(c) It is expressly provided that the prior-service compensation herein provided for shall be a mutual agreement on the part of the State of Texas and the teacher-member of the Retirement System, and in no event shall the failure of the State Board of Trustees to make adjustments for which total funds are not available for payment of prior-service benefits be held as a liability against the State of Texas. It is further expressly provided that there shall be no claim for payments under prior-service annuities for any period of time prior to September 1, 1941.

(d) It is further provided that any funds remaining on hand in the Prior-Service Annuity Reserve Fund at the end of each five-year period based upon the actuarial and statistical study herein provided for, and which shall be in excess of the reserve necessary to meet all future payments for full prior-service annuities to beneficiaries, shall revert to the General Treasury of the State of Texas as of August 31st of said year.

3. Disability Retirement Benefits.

Upon the application of a member or of his employer or his legal representative acting in his behalf, any member who has had twenty (20) or more years of creditable service may be retired by the State Board of Trustees, not less than thirty (30) and not more than ninety (90) days next following the date of filing such application, on a disability retirement allowance, provided that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

4. Allowance on Disability Retirement.

Upon retirement for disability a member shall receive a service retirement allowance if he has attained the age of sixty (60) years; otherwise, he shall receive a disability retirement allowance consisting of a membership annuity, which shall be the actuarial equivalent of his membership annuity reserve, and a prior-service annuity to which his creditable service and membership in the Teacher Retirement System entitles him under the provisions of this Act.

(a) His membership annuity reserve shall be derived from:

(1) His accumulated contributions credited to his account in the Teacher Saving Fund at the time of retirement; and

(2) An additional sum from the State Membership Accumulation Fund equal to the accumulated contributions provided by the member in Subsection (1) of Paragraph (a) of this Subsection.

(b) If he has a prior-service certificate in full force and effect, he shall receive a prior-service annuity equal to fifty (50) per

centum of the prior-service annuity provided in Paragraph (b), Subsection (2) of Section 5 of this Act.

5. Beneficiaries Retired on Account of Disability.

Once each year during the first five (5) years following retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the State Board of Trustees may, and upon his application shall, require any disability beneficiary who has not yet attained the age of sixty (60) years to undergo a medical examination, such examination to be made at the place of residence of said beneficiary or any other place mutually agreed upon, by a physician or physicians designated by the State Board of Trustees. Should any disability beneficiary who has not yet attained the age of sixty (60) years refuse to submit to at least one medical examination in any such periods by a physician or physicians designated by the State Board of Trustees, his allowance shall be discontinued until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his allowance shall be revoked by the State Board of Trustees.

(a) Should the Medical Board report and certify to the State Board of Trustees that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty, or that such disability beneficiary is engaged in or is able to engage in a gainful occupation, and should the State Board of Trustees by a majority vote concur in such report, then the amount of his allowance shall be discontinued or reduced to an amount by which the amount of the last year's salary of the beneficiary, as a teacher, exceeds his present earning capacity. Should his earning capacity be later changed, the amount of his allowance may be further modified; provided, that the revised allowance shall not exceed the amount of the allowance originally granted, nor shall it exceed an amount which, when added to the amount earnable by the beneficiary, equals the amount of his compensation for the last year prior to retirement.

(b) Should a disability beneficiary under the age of sixty (60) years be restored to active service, his retirement allowance shall cease, he shall again become a member of the Retirement System, and any reserves on his membership annuity at that time in the Membership Annuity Reserve Fund shall be transferred to the Teacher Saving Fund and to the State Membership Accumulation Fund, respectively, in proportion to the original sum transferred to the Membership Annuity Reserve Fund at retirement. Upon restoration to membership, any prior-service certificate on the basis of which his service was computed at the time of his retirement shall be restored to full force and effect, and in addition, upon his subsequent retirement he shall be credited with all his membership service. No teacher eligible to retire for service at sixty (60) years of age shall

be allowed to retire on a disability allowance. Should a disability beneficiary die or be removed from the disability list for any cause other than restoration to active service, an amount equal to the amount by which such beneficiary's accumulated contributions at the time of disability retirement exceeds the membership service annuity payments received by such beneficiary under his disability allowance, if any such excess exists, shall be paid from the Membership Annuity Reserve Fund to such beneficiary if living; otherwise such amount shall be paid as provided by the laws of descent and distribution of Texas unless the beneficiary has directed such amount to be paid otherwise.

6. Return of Accumulated Contributions.

Should a member cease to be a teacher except by death or retirement under the provisions of this Act, he shall be paid in full the amount of the accumulated contributions standing to the credit of his individual account in the Teacher Saving Fund. Should a member die before retirement, the amount of his accumulated contributions standing to the credit of his individual account shall be paid as provided by the laws of descent and distribution of Texas unless he has directed the account to be paid otherwise. Seven (7) years after such cessation of service, if no previous demand has been made, any accumulated contributions of a contributor shall be returned to him or to his heirs. If the contributor or his heirs cannot then be found, his accumulated contributions shall be forfeited to the Retirement System and credited to the Permanent Retirement Fund.

7. Optional Allowances for Service Retirement.

With the provision that no optional selection shall be effective in case a beneficiary dies within thirty (30) days after retirement, and that such a beneficiary shall be considered as an active member at the time of death, until the first payment on account of any service benefit becomes normally due, any member may elect to receive his membership annuity in an annuity payable throughout life, or he may elect to receive the actuarial equivalent at that time, of his membership annuity in a reduced membership annuity payable throughout life with the provision that:

Option (1). Upon his death, his reduced membership annuity shall be continued throughout the life of, and paid to, such person as he shall nominate by written designation duly acknowledged and filed with the State Board of Trustees at the time of his retirement; or

Option (2). Upon his death, one-half of his reduced membership annuity shall be continued through the life of, and paid to, such person as he shall nominate by written designation duly acknowledged and filed with the State Board of Trustees at the time of his retirement; or

Option (3). Some other benefit or benefits shall be paid either to the member, or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced membership annuity, shall be certified by the actuary to be of equivalent actuarial value to his membership annuity, and approved by the State Board of Trustees.

With the provision that no optional selection shall be effective in case a beneficiary dies within thirty (30) days after retirement and that such a beneficiary shall be considered as an active member at the time of death, until the first payment on account of any service benefit becomes normally due, any member may elect to receive his prior-service annuity in an annuity payable throughout life or he may elect to receive the actuarial equivalent at that time, of his prior-service annuity in a reduced prior-service annuity payable as provided in Option (1), (2), or (3) above, provided that all payments under all prior-service annuities are subject to adjustment by the State Board of Trustees as provided in Section 5, Subsection 2, Paragraph (b) of this Act; provided further, that the same option must be selected by a member for the payment of his prior-service annuity as is selected by the member for the payment of his membership service annuity.

Section 6. Administration.

State Board of Trustees.

(1) The general administration and responsibility for the proper operation of the Retirement System and for making effective the provisions of the Act are hereby vested in a State Board of Trustees which shall be organized immediately after a majority of the Trustees provided for in this Section shall have qualified and taken the oath of office.

(2) The Board shall consist of six (6) trustees, as follows:

- (a) The State Life Insurance Commissioner, ex officio.
- (b) The Chairman of the State Board of Control of Texas, ex officio.

(c) A person selected by the State Board of Education for a term of six (6) years.

(d) Three (3) of the trustees shall be members of the Retirement System and shall be nominated by the members of the Retirement System for a term of six (6) years each, according to such rules and regulations as the State Board of Trustees shall adopt to govern such nominations, provided that the first three (3) teachers to serve as members of the State Board of Trustees shall be appointed by the Governor from a list of seven (7) teachers nominated by the Executive Committee of the Texas State Teachers Association. The terms of office of the first three (3) teacher-trustees shall begin immediately after they have qualified and taken the oath of office.

They shall draw for terms of two (2), four (4), and six (6) years, which shall expire August 31, 1939, and August 31, 1941, and August 31, 1943, respectively. Thereafter, the State Board of Trustees shall provide for the nomination of three (3) teacher-members biennially by popular election of the members of the Retirement System, from which the Governor shall appoint one member to the State Board of Trustees; said member shall be subject to confirmation by two-thirds vote of the State Senate. The members so appointed shall serve for terms of six (6) years, or until their successors are qualified. It is provided, however, the re-enactment of this Section shall not affect the status or terms of office of the present members of said Board.

(3) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(4) The trustees shall serve without compensation, but they shall be reimbursed from the Expense Fund for all necessary expenses that they may incur through service on the Board.

(7) Subject to the limitations of this Act, the State Board of Trustees shall, from time to time, establish rules and regulations for eligibility of membership and for the administration of the funds created by this Act and for the transaction of its business.

Section 8. Method of Financing.

The amount contributed by each teacher to the Retirement System shall be five (5) per centum of the regular annual compensation paid each member, the amount not to exceed One Hundred and Eighty Dollars (\$180) per annum. After such time as the State shall have contributed to the Retirement System a sum equivalent to the sum of all amounts which have then been contributed by the members of the Retirement System, the amount contributed by the State of Texas to the Retirement System thereafter shall not exceed during any one year five (5) per centum of salaries of all members, disregarding salaries in amounts in excess of Three Thousand, Six Hundred Dollars (\$3,600), provided the total amount contributed by the State during any one (1) year shall at least equal the total amount contributed during the same year by all members of the Retirement System.

7. Expense Fund.

The Expense Fund shall be the fund from which the expenses of administration and maintenance of the Retirement System shall be paid. Transfers to and payments from this Fund shall be made as follows:

- (a) The Executive Secretary shall prepare annually an itemized budget showing the amount required to defray the expenses for the

ensuing fiscal year and shall submit the report to the State Board of Trustees for its review and adoption.

(b) Each member shall pay with the first payment to the Teacher Saving Fund each year, and in addition thereto a sum of One Dollar (\$1), which amount shall be credited to the Expense Fund, said payments for the Expense Fund shall be made to the State Board of Trustees in the same way as payments to the Teacher Saving Fund shall be made, as provided for in this Act; provided, however, that if said payment for the Expense Fund of any member is not made with said first payment of said member, the State Board of Trustees may deduct the amount of the payment for the Expense Fund from said first payment of said member.

Sec. 9. Exemptions from Execution. The right of a person to an annuity or a retirement allowance, to the return of contributions, annuity, or retirement allowance itself, any optional benefit or any other right accrued or accruing to any person under the provisions of this Act, and the moneys in the various funds created by this Act, are hereby exempt from any State or municipal tax, and exempt from levy and sale, garnishment, attachment, or any other process whatsoever, and shall be unassignable except as in this Act specifically provided.

Sec. 10. Protection against Conversion of Funds and Fraud.

Any person who shall confiscate, misappropriate, or convert moneys representing deductions from teachers' salaries before such moneys are received by the Retirement System or after such moneys are received by the Retirement System shall be guilty of a felony and upon conviction be punished by confinement in the State Penitentiary for any term of years not less than one (1) nor more than five (5). Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified, any record or records of this Retirement System in any attempt to defraud such System as a result of such act shall be guilty of a felony and upon conviction be punished by confinement in the State Penitentiary for any term of years not less than one (1) nor more than five (5). Should any change or error in the records result in any member or beneficiary receiving from the Retirement System more or less than he would have been entitled to receive had the records been correct, the State Board of Trustees shall correct such error, and so far as practicable shall adjust the payment in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

Violation of Provisions. Any person, including any county superintendent or ex officio county superintendent, and any member of the employer and/or its treasurer or proper disbursing officer, who violates any of the provisions of this Act other than those to which the

first paragraph of this Section applies shall be guilty of a misdemeanor and shall be fined not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000). Any member of the System who knowingly receives money as salary, which money should have been deducted from his salary under the provisions of this Act, shall be guilty of a misdemeanor and shall be fined not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500). The teacher's certificate of any person who violates the provisions of this Act may be cancelled by the State Superintendent of Public Instruction after the State Superintendent has been notified of such violation by the State Board of Trustees of the Teacher Retirement System and after the holder of the certificate has been notified by the State Superintendent and given an opportunity to be heard. Appeal from the decision of the State Superintendent shall, if made, be to the State Board of Education, the decision of which shall be final. Provided that it shall not be a prerequisite for action by the State Superintendent and/or the State Board of Education, as outlined, that any such holder shall first have been prosecuted and/or fined.

Sec. 12. Limitation on Membership. No other provision of law in any other statute which provides wholly or partly at the expense of the State of Texas for pensions or retirement benefits for teachers of the said State, their widows, or other dependents, shall apply to members or beneficiaries of the Retirement System established by this Act.

Sec. 13. The Legislature hereby reserves the right to amend any section, paragraph or any and all provisions of this Act as it may from time to time deem necessary. [*Vernon, 2922-1.*]

(3) Beginning with the fiscal year starting on September 1, 1941, and annually thereafter, there is hereby allocated and appropriated to the Teacher Retirement System of Texas in accordance with the provisions of Senate Bill No. 47, Acts of the Regular Session, Forty-fifth Legislature, 1937, and any amendments thereto, a sum each year equivalent to the contributions of the members of the Teacher Retirement System during said year. Said amounts are hereby allocated and appropriated and shall be paid to the Teacher Retirement System in equal monthly installments beginning September 1, 1941, and monthly thereafter based upon the annual estimate by the State Board of Trustees of the Teacher Retirement System of the contributions to be received from the members of said System during said year; provided further, in the event said estimate of the contributions of the members of the System shall vary from the actual amount of the teachers' contributions during the year, then such adjustments shall be made at the close of each fiscal year as may be required.

There is likewise hereby allocated and appropriated to the Teacher Retirement System of Texas beginning on the first day of the first month after the effective date of this Act, and monthly thereafter, the sum of Fifty Thousand Dollars (\$50,000), which shall be paid by the State Treasurer to the Teacher Retirement System until such time as the total additional amounts so deposited by the State of Texas shall be equivalent to the total amount contributed by the members of the Retirement System from September 1, 1937, to September 1, 1941, as certified by the State Board of Trustees of the Teacher Retirement System. [Vernon, 7033a.]

Hospital for Crippled and Deformed Children

There is hereby established a State Hospital for Crippled and Deformed Children. The gift to the State of Texas by the Texas Public Health Association of the Walter Colquitt Memorial Children's Hospital, also known as the children's ward of the John Sealy Hospital on the premises of The University of Texas at Galveston, Texas, is hereby accepted by the State, and this hospital shall be the State Hospital for Crippled and Deformed Children. The term "crippled and deformed children" as used herein shall include children suffering from disease from which they may become crippled or deformed. [Vernon, 3260.]

Said hospital shall be under the control and management of the Board of Regents of The University of Texas, which is hereby authorized and empowered to lease said hospital building to the city of Galveston in the same manner as the John Sealy Hospital buildings, and to require that provision be made in such hospital for the care and treatment of crippled and deformed children, who may be benefited or cured by treatment in said hospital, and for such other cases or patients as may be required in the interest of scientific study by the faculty and students of the Medical Department of The University of Texas.

Said Board of Regents may in its discretion receive in said hospital any sick or afflicted child who is not crippled or deformed, and who is not suffering from any communicable disease. [Vernon, 3261.]

The Board of Regents shall adopt such rules and regulations as it may deem necessary and proper for the admission, discharge, care and treatment of such children. It may require their parents or guardians to pay all or a part of the expenses of the care and treatment of patients when able to do so, otherwise it may require such payment of their home counties or cities. [Vernon, 3262.]

Said Board of Regents is authorized to accept donations for the support of crippled or deformed patients, and for the improvement of the hospital and building. [Vernon, 3263.]

Galveston State Psychopathic Hospital

There shall be established and maintained a Psychopathic Hospital at Galveston to be known as the Galveston State Psychopathic Hospital, and one at Dallas to be known as the Dallas State Psychopathic Hospital. The Galveston State Psychopathic Hospital shall be a hospital for the treatment of nervous and mental diseases both in the hospital and out patient clinic, and shall be available as a part of the teaching facilities in mental medicine for the State Medical College. The Dallas State Psychopathic Hospital shall be a hospital for the treatment of nervous and mental diseases both in the hospital and in out patient clinic. [Vernon, 3192.]

State Cancer Hospital

Section 1. There are hereby established the Texas State Cancer Hospital and the Division of Cancer Research, which institutions, together with such substations as may be created pursuant hereto, shall be under the control and management of The University of Texas, which shall determine the location within this State of said Texas State Cancer Hospital, said Division of Cancer Research and such substations, and which shall have charge of all building plans, materials, furnishings, equipment, and other properties of or pertaining to said institutions or substations.

Sec. 2. The Board of Regents of The University of Texas shall select and employ a superintendent. Said superintendent, who shall be a physician possessing an M.D. Degree, and who shall have had, at least, five (5) years experience practicing medicine, shall have charge of the operation and conduct of said institution and such other powers, duties, and obligations as may be conferred upon him by said Board of Regents.

Sec. 3. The medical staff of said institution shall be selected and employed by the Board of Regents on the recommendation of the superintendent, and may be discharged in like manner.

Sec. 4. The University of Texas may establish and maintain such diagnostic and treatment substations as may be deemed expedient from time to time, the location, erection, operation, and management thereof to be under the control and direction of The University of Texas, subject to the other provisions of this Act.

Such substations, together with the institutions established hereby, shall conform to the standards of the American College of Surgeons and the American Medical Association.

Sec. 5. Said institutions, together with such substations as may be established pursuant hereto, shall be devoted to the diagnosis, teaching, study, prevention, and treatment of neoplastic and allied diseases.

Sec. 11. There is hereby appropriated from the General Revenue Fund of the State of Texas, from funds not otherwise appropriated,

the sum of Five Hundred Thousand Dollars (\$500,000), for the location, equipping, and for the establishing of a Cancer Research Laboratory and Hospital; and provided further that not more than Two Hundred and Fifty Thousand Dollars (\$250,000) of said amount shall be used for building and equipment and the remainder of said amount here appropriated shall be used for the hiring of experts, for conducting research, study, experiments, treatment of persons affected by the disease of cancer, and maintenance of Hospital and equipment for the biennium beginning September 1, 1941.

Sec. 12. The University of Texas is authorized hereby to accept in connection with said institutions or said substations grants or gifts of money from other than State sources. [*Vernon, 2603c.*]

Texas Memorial Museum

Section 1. That the sum of Three Million Dollars (\$3,000,000) be and the same is hereby appropriated out of the General Revenue Fund of the State of Texas not otherwise appropriated, to be expended for the purpose of creating and conducting celebrations commemorating the heroic period of early Texas history and celebrating a century of the independence and progress of Texas as a Republic and State, and for the other purposes incident thereto as herein provided. Said celebrations are to be held during the period beginning May 1, 1935, and ending December 31, 1936. The funds thus appropriated are allocated as follows:

Item Number Three.

(1) The sum of Two Hundred Twenty-five Thousand Dollars (\$225,000), or so much thereof as may be necessary, is hereby appropriated and allocated to be used in gathering and preparing materials for exhibits of natural and civic history, such as constitute usual exhibits in museums of natural history and history; and for furnishing and equipping the Texas Memorial Museum Building. Such exhibits are to be displayed in the Texas Memorial Museum, funds for the construction of which are to be secured by donations from individuals, public and private agencies, gifts and subscriptions. The raising of said funds with which to construct said museum building is to be sponsored by the Texas Centennial Committee of the American Legion of the State of Texas, which building is to cost approximately Seven Hundred Fifty Thousand Dollars (\$750,000) when completed, and is to be located on the campus of The University of Texas in the City of Austin. And the Board of Regents of The University of Texas is hereby constituted the Board of Directors of the Museum and as such shall have complete authority over the same, including the expenditure of the sum herein appropriated and allocated for the purposes above mentioned; provided, however, that not more than ten (10) per cent of the sum herein

appropriated may be expended for promotional and administrative expenses; provided further, however, the expenditure of the money herein appropriated shall be on vouchers properly approved by the Chairman of the Board of Regents and attested by the Secretary of said Board, and such approval shall be sufficient authority for the Comptroller of Public Accounts to draw a warrant in payment of any claim properly approved by the Board of Regents of The University of Texas against this appropriation, and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas. Said Museum is to be a part of the Texas Centennial celebrations and expositions provided for in this Act. [*Vernon, 614c.*]

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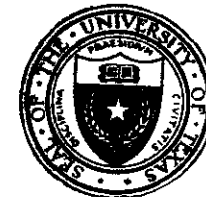
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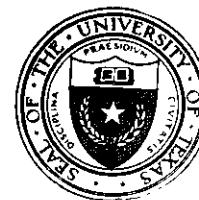
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PART II

STUDENT PUBLICATIONS



The benefits of education and of useful knowledge, generally diffused through a community, are essential to the preservation of a free government.

Sam Houston

Cultivated mind is the guardian genius of Democracy, and while guided and controlled by virtue, the noblest attribute of man. It is the only dictator that freemen acknowledge, and the only security which freemen desire.

Mirabeau B. Lamar

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PREAMBLE

The Constitution of Texas, Article VII, Section 10, makes it the duty of the Legislature to "provide for the maintenance, support, and direction of a university of the first class, to be . . . styled 'The University of Texas.'" The Legislature has vested the "government" of the University in the Board of Regents of The University of Texas (*Revised Civil Statutes, 1925*, Article 2584) with broad powers of "direction" (*Revised Civil Statutes, 1925*, Articles 2585 and 2586).

In exercising the powers of government and direction vested in the Board of Regents by statute, the Board has deemed it wise, **SUBJECT TO THE CONSTITUTION AND STATUTES**, to adopt the following Sixth Edition of its *Rules and Regulations for the Government of The University of Texas*, repealing all the rules and regulations of earlier editions not found herein.

First Edition adopted August 25, 1891.

Second Edition adopted September 26, 1904.

Third Edition adopted November 11, 1912.

Fourth Edition adopted April 27, 1920.

Fifth Edition adopted December 8, 1925.

Sixth Edition adopted March 14, 1936.

**RULES AND REGULATIONS OF THE BOARD OF
REGENTS FOR THE GOVERNMENT OF
THE UNIVERSITY OF TEXAS**

CHAPTER I

STAFF: APPOINTMENT, DUTIES, RIGHTS, AND PRIVILEGES

Section 1. Mode of appointment.—The Board of Regents, after due deliberation and consultation with specially competent persons in the General Faculty and elsewhere, shall elect a President, who shall hold office during the pleasure of the Board, who shall be the expert advisor and responsible agent of the Board, and who shall be the chief executive of the University.

The Board, upon the recommendation of the President, shall elect all the other officers and employees (*Revised Civil Statutes, 1925, Article 2583*), fixing, subject to State and Federal laws, their duties, rights, and privileges. All appointments shall be made upon the merit basis, and a certificate of reasonably good health during the five years previous to the appointment shall be required. By authority of the Board, minor and temporary appointments may be left for final decision with the President.

The Board will not appoint anyone whose conduct or views are not exemplary and may inquire into family history and health, personal reputation, and moral character. As provided in the Constitution (Article I, Section 4) and the *Revised Civil Statutes, 1925* (Article 2604), no religious qualifications shall be required for appointment to any office connected with the University.

Sec. 2. Appointment of relatives.—Whenever an appointment is made, either on a full- or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to the *Penal Code, 1925, Articles 432, 433, 434, 435, and 437*, and the *Revised Civil Statutes, 1925, Article 5996*, and amendments thereto; subject also to a general desire on the part of the Board not to appoint even distant relatives. In accord both with the letter and the spirit of these laws, a relative in the following paragraphs, unless otherwise specifically stated, shall be by definition a person related within the second degree of affinity or the third degree of consanguinity, according to the common law.

a. No relative, near or distant, of a member of the Board of Regents will be considered for appointment, but will be considered for reappointment in those cases where the appointment was antecedent to the Board membership.

b. No person shall be initially appointed even temporarily when it is the duty of a relative on the University staff to act in some official capacity upon the appointment, or if a relative is a full professor or an administrative official in the University.

c. At the Main University or at the Medical Branch, no person any relative of whom occupies a position of the rank of Instructor or higher (full- or part-time), shall be initially appointed even temporarily to the position of Instructor or higher, or to any position if the relationship is within the first degree of affinity or the second degree of consanguinity; if one position be at the Main University and the other at the Medical Branch, the rule shall apply only to those cases where the relationship is within the first degree of either affinity or consanguinity.

d. No person shall be initially appointed even temporarily in any department or similar subdivision if he has a relative in that department or subdivision holding the position of Instructor or of higher rank; no person related within the first degree of affinity or the second degree of consanguinity to a person in the University with a salary below that of an Instructor shall be initially appointed even temporarily in the same department or the same subdivision of the University.

e. Relationship brought about by marriage after appointment is no bar to continuance of employment, except that if a person of the rank of Instructor or higher marries another employee (after August 31, 1936), both positions may not be retained beyond the current fiscal year. Relationship brought about by marriage before September 1, 1936, shall be no bar to continued service. The marriage of a staff member to a person who is not a staff member but who is a relative of a staff member shall have no effect on either tenure or promotion.

f. Relationship shall not be a bar to an honorary non-remunerative position.

The provisions just listed shall apply to all positions on the University staff, equivalence in salary being regarded as equivalence in rank.

For the purpose of administering these provisions, an employee "occupies" his position from the date at which his employment begins until his connection with the Institution is formally terminated. This occupancy definitely includes the period between the close of one long session and the opening of the next for regular nine-months employees and any period covered by a leave of absence with or without pay.

The President, acting upon affirmative advice from the Administrative Council of the Main University or the Faculty and Admissions Committee of the Medical Branch in each case, is authorized to suspend the above regulations in an emergency, the suspension in no case to extend beyond the end of the current fiscal year, or to apply to a relative, near or distant, of a Regent or the President.

According to the common law (see *Webster's New International Dictionary, Second Edition*), the first degree of consanguinity would be father, son or brother; the second degree, grandfather, grandson, uncle, first cousin or nephew; the third degree, great-grandfather,

great-grandson, great-uncle, great-uncle's son, second cousin, son of the first cousin, son of the nephew, or brother's grandson. Degrees of affinity are computed the same as those of consanguinity.

Sec. 3. **Tenure and promotion.**—The Board has the authority and the duty to remove any professor, instructor, tutor, or other officer or employee connected with the University when in its judgment the interest of the University requires it. (*Revised Civil Statutes, 1925, Article 2586*).

The following statements of policy shall not be construed to create any contractual or other legal obligation.

The Board seeks to promote the welfare of the University by a statement of policy generally to be followed, except in extraordinary circumstances, with respect to the employment of members of the faculty of the University. The Board desires to maintain, commensurate with the ideals of a University of the first class, a learned faculty who, by precept and example, will instruct and inspire the students. To that end, competent teachers are given assurance that they may feel secure and independent in their positions and that they will be promoted upon the basis of merit as circumstances permit. Unless otherwise stipulated in advance in the letter of appointment, it is the intention of the Board that the term of service of a professor or an associate professor will be continued during good behavior and satisfactory service, of an assistant professor will be two years, and of an instructor or other member of the teaching staff will be one year. Three months' notice of intention not to reappoint an assistant professor or an instructor will ordinarily be given, but failure to give such notice will not constitute reappointment.

Termination of the employment of a professor or an associate professor or any other teacher before expiration of the stated period of employment, except by resignation or retirement for age in accordance with the rules, should be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interest of the University. The Board, when it considers that an emergency exists, will hear and determine the matter and take such action as it may deem proper, first stating in writing the nature of the emergency and the charges to the accused teacher. But, generally, the procedure will be as follows: the Board may for grave cause suspend the accused teacher pending final decision; he will be entitled to receive a written statement of the charge against him, to appear in person and by counsel, to hear and cross-examine the witnesses, to testify and offer testimony of others in his behalf, and to be duly informed of the decision; the hearing will be before a committee of five members of the faculty, not lower in rank than the accused, appointed by the Chairman of the Board after consultation with the President, which will make written findings upon the issues of fact submitted to it by the Board; the Board will consider the findings

and, in the absence of objection, give appropriate effect thereto; the Board, upon objection to the findings by the teacher or a member of the Board, will, thereupon, conduct a trial *de novo*, the decision in which will be final.

Every person now or hereafter employed by the University shall furnish full personal information upon the prescribed form, unless the employment is of a minor and temporary nature.

Appointments to serve in the Summer Session shall be made annually at specified salaries for specified periods. As a consequence, in the Summer Session there are no promotions, and tenure does not extend beyond the period specified. Members of the Faculty of the Summer Session who are not also members of the Faculty of the Long Session are not members of the Budget Council of their respective departments. (See Chapter IV, Section 6.)

Sec. 4. Modified service after age seventy; voting staff; annuity plan.—Since capacity for work is usually decreased in advanced age and since full-time work after the age of seventy must usually be less than full-time work in early and middle years, the Board of Regents has inaugurated a plan for modified service and reduced compensation after the age of seventy. Its provisions and its relations to the Teacher Retirement System of Texas are as follows:

Every voting member of the General Faculty or the Medical Faculty of The University of Texas who reached the age of seventy before September 1, 1937, will be continued thereafter on modified service at a reduced salary.

No voting member of the General Faculty or the Medical Faculty will be continued on standard service at his previous regular pay beyond the end of the fiscal year that includes his seventieth birthday.

Every voting member of the General Faculty or Medical Faculty of the University who is eligible to join the Teacher Retirement System of Texas and who has not reached the age of seventy before September 1, 1937, will be required to join this system as a condition for being eligible for modified service at reduced pay after reaching the age of seventy.

Every person whose initial appointment in the University becomes effective after August 31, 1938, is subject to membership in the Teacher Retirement System of Texas as required by law.

Each member of the Teacher Retirement System of Texas must pay in cash \$1.00 per year as a membership fee and five per cent of his monthly salary, provided that an annual salary will be considered only to a total of \$3,600. The University will transmit these payments to the Teacher Retirement System, and the teacher will secure the benefits prescribed by law.

Every voting member of the General Faculty and the Medical Faculty of the University who joins the Teacher Retirement System of Texas in his first year of service in the University as a teacher eligible to join the Teacher Retirement System, and who remains

in the System until the age of seventy (provided he had not been a member of the State Retirement System for more than thirty years) shall be continued after the age of seventy on a reduced salary from the University and with modified service until the Board of Regents directs that he shall completely retire from University service and pay. The annual salary for modified service will be one half the average regular salary received by each individual during the last five years of standard service. Adjustments will be made for any general change in the salary scale. A voting member of the faculty who has served the University for twenty years may change to modified service in the University at any time between the ages of sixty and seventy. Effective September 1, 1938, no person who is subsequently appointed to the staff of the University after the age of fifty shall have a right to modified service beyond the age of seventy. In deciding when a member should retire from all University service and pay, the Regents will consider both his current capacity for work and the amount of annuity due him by the Teacher Retirement System.

The services of voting members of the General Faculty of the Main University and of the Medical Branch Faculty after change from standard service because of age shall be limited to the teaching of elective courses or sections, research, and minor administrative work, with a reservation by the Board of Regents of the right to modify this limitation in specific instances upon its own action. No person shall serve on a budget council after retirement to modified service because of age.

The change from standard service may be fixed hereafter at a lower age, but due notice will be given each person before a new rule applies to him.

Sec. 4a. Modified service after age seventy, non-voting staff.—All full-time members of the staffs of the Main University and of the Medical Branch who are not voting members of the General Faculty of the Main University or of the Medical Faculty, except members employed after the effective date of this plan who are of age fifty years or more at the time of employment, shall be subject to the following provisions for modified service after reaching the age of retirement, provided that no employee will be continued in employment after the age of seventy unless he is subject to the provisions for modified service.

These provisions shall become effective September 1, 1943, and shall operate for a period of thirty years from that date, except as provided below. At the end of this period all members participating in the Teacher Retirement System of Texas (or in any other State or Federal retirement annuity system) shall fully retire from all University service and pay upon reaching the retirement age, and this plan shall then apply only to those members not eligible for such retirement system.

This plan shall become effective for each member at the beginning of the fiscal year following the fiscal year in which his seventieth birthday occurs, except that (1) a member may, after twenty years of service, and with the approval of the head of his division and the Board of Regents, transfer from standard to modified service and pay at any time after age sixty; (2) if, in their judgment the interests of the University will be best served, the Board of Regents may, on due notice, transfer a member from standard to modified service and pay at any time after age sixty; and (3) the change from standard service may be fixed hereafter at a lower age, but due notice will be given each member before a new rule applies to him.

Every member who is eligible or becomes eligible to join the Teacher Retirement System of Texas, and who has not reached the age of seventy before September 1, 1943, must join that system as a condition for being eligible to participate in this modified service plan. Members who are at the present time ineligible to participate in the Teacher Retirement System will be required to participate in any future system adopted as a condition for being eligible for modified service upon attaining the age of seventy.

Modified service under the plan is one half the normal full-time hourage of the position occupied by a member on reaching age seventy.

Modified pay under the plan is one half the average regular salary received by the member during the fiscal year containing his seventieth birthday and the four preceding fiscal years. Adjustments will be made for any general change in the salary scale of such positions.

On transfer to modified service and pay, a member shall be relieved of all major administrative responsibility he may have carried with respect to his work unit.

On transfer to modified service and pay, a member may be transferred to another type of work more suitable to his capacity for work at that time.

The Regents may transfer a member, after attaining the normal retirement age, from standard or modified service and pay to full retirement without pay, on due notice, but in so doing the member's current capacity for work, his past service to the University, and the amount of annuity due him from the Teacher Retirement System or any other State or Federal annuity system then operative will be considered.

Not later than May 1 of the fiscal year in which a member's seventieth birthday occurs, the official in charge of the administrative unit in which he is employed shall submit a recommendation in writing to the President with respect to the nature of the member's prospective modified service.

Nothing in this plan shall be understood to confer tenure on a member who does not otherwise have tenure.

The Regents may make exceptions to the terms of this plan in special or extreme cases.

Sec. 5. Resignation.—Members of the staff are expected to give at least sixty days' notice of an intention to resign.

Sec. 6. Duties, rights, and privileges as a citizen and as a teacher.—A member of the staff enjoys the same general privileges and is bound by the same general obligations as other worthy and honorable citizens, the obligations a little increased, the privileges a little diminished through employment by the State in a position of peculiar importance, delicacy, and responsibility. Obviously, however, a member of the staff ceases to be a private citizen when he becomes a public servant.

No course of instruction of a sectarian character shall be taught in the University (Article 2604, *Revised Civil Statutes, 1925*).

A member of the teaching staff is free to express, inside or outside the class room, his opinion on any matter that falls within the field of knowledge he is employed to teach and to study, subject only to those restrictions that are imposed by high professional ethics, fair-mindedness, common sense, accurate expression, and a generous respect for the rights, feelings, and opinions of others. He should emphasize the fact that the opinion is personal and not institutional. The qualities enumerated just above carry with them the disposition to conduct courses of standard difficulty and content equivalent to courses bearing the same description in other first-class universities, and equivalent to the other sections of the course in the University if the course be sectionized. On matters not within his special field of knowledge, a member of the staff should refrain from expressing personal opinions that might, because of the University connection, incorrectly be thought to be within his special field of knowledge. In all matters, members of the staff should refrain from exhibiting rancor, prejudice, or undue partisanship, exhibiting contrariwise a dispassionate temperament and a power to present fully and fairly all the arguments on all sides of a controversial or political question. Members of the staff should refrain from involving the University in partisan politics, futile controversies, and harmful publicity, and should refrain from publicly criticizing University policies before sending the criticism to the President for the consideration of the Board of Regents.

Sec. 7. The greater duties of a member of the teaching staff.—Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:

- a. Teaching in the class room, laboratory, and seminar;
- b. Studying, investigating, discovering, and creating;
- c. Performing curricular tasks auxiliary to teaching and research; e.g., serving on faculty committees, attending to adminis-

trative and disciplinary tasks, promoting diligence and honest work in the student body;

d. Influencing beneficially students and citizens in various extra-curricular ways.

Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by the University, for in these four ways its work is chiefly done.

A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with the University to be as socially minded as possible. It is also a duty to cooperate with the Board of Regents in carrying out the purposes and policies of the Board, which are deliberately considered usually by both Board and Faculty in accordance with law and designed to attain the best educational results with the resources available. The Regents, the President, and other superior officers are entitled to the cheerful acquiescence of their official subordinates in carrying out the policies duly adopted. At the same time, superior officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from any member of the staff and to welcome the official appeals from their decisions, for which provision is made elsewhere in these Regulations. Handbooks of regulations are useless apart from a general spirit of cooperation and helpfulness, just as a university is useless in proportion to its lack of devotion to study and research.

Sec. 8. Acquaintance with, conformity to, and improvement of University regulations.—It is a specific and important duty of each member of the staff to become acquainted with and to conform to all the rules and regulations relating to him and to the proper and orderly discharge of his work that are to be found set forth in the

a. Rules and Regulations of the Board of Regents;

b. Catalogue, Announcement of Courses, and other official publications of the University;

c. Printed or multigraphed material regularly prepared for the use of the staff and relating to the regular absence and grade reports, the conduct of examinations, class and examination and registration schedules, special reports to Deans and parents about individual students, and other similar matters that must be dispatched in a prompt and orderly way; and

d. Minutes of the Faculties not yet incorporated in a, b, or c.

It is also the specific duty of each member of the staff to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate Faculty or officer. Such proposals, however, do not give the proposer a right to follow his own suggestions before they are adopted officially in due order. Still less does the absence of a proposal to amend confer the right not to conform.

Sec. 9. Communications, appeals, and hearings.—Every member of the staff has the right to propose changes and to present arguments in support thereof. Proposals should originate as prescribed in the regulations given elsewhere in these Rules and Regulations and should thereafter follow the routine prescribed in these Regulations for the various subdivisions of the University. When a proposal has been approved or amended by the appropriate subdivisional officials, faculties, and the President, it shall go to the Board of Regents for final action. When a proposal has been approved or amended or rejected by the appropriate subdivisional officials, faculties, and the President, any member or any group of members of the staff may present an appeal in opposition to the action of any majority or in opposition to the recommendation of any subdivisional official or the President, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed routine and shall be presented to the Board of Regents for final action. The Deans and other subdivisional officials, the President, and the Regents may invite both sides for personal conferences and discussions. An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance with this authorized routine. Nothing in this section is intended to prohibit members of the staff from responding to requests from members of the Board, but since the President is responsible for the formulation of University policies, he should be given information concerning any communication affecting University policies or recommendations. (See also Section 14, following.) Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.

Sec. 10. Vacations.—a. Members of the staff on a monthly or weekly basis are entitled to a vacation only as specified in each case on the employment blank.

b. Members of the staff who are employed on a nine-months' basis, "academic year service class," are regularly on duty during the Long Session, unless other dates are explicitly stated. In the period between Long Sessions such members are not on duty, unless in emergencies, except in so far as it is necessary to perform tasks essentially connected with the nine-months' service. Members of the teaching staff are entitled to all holidays listed in the official calendar of the Main University.

c. Members of the staff who are employed on a twelve-months' "all year service class" basis (full-time or part-time) are allowed vacations of thirty calendar days if administrative and clerical employees, and fifteen calendar days if laborers and workers in the skilled trades, unless a different arrangement is necessitated in order to conform to the law of the State. An employee on a twelve-months' basis must have served eleven months before being entitled to a vacation. The schedule of vacation periods for the personnel

of any group shall be arranged by the administrative head of the group; e.g., the Comptroller, Registrar, Librarian, Dean, or similar ranking officer, and vacations shall be taken in so far as possible at dates that permit the work to be carried on by the members of the staff who remain on duty. Administrative officers who report directly to the President shall arrange for their substitutes and the time of their vacations with him. All legal holidays officially observed by the University (Labor Day, Thanksgiving Day, December 25, January 1, and July 4), the Friday and Saturday preceding and the Monday following Easter Sunday (these days in lieu of February 22, March 2, and April 21), and two additional days during the Christmas season shall be time off in addition to that of the regular vacation when the regular thirty-day vacation is not allowed. A vacation is to be taken during the fiscal year in which it accrues, and, if not taken, shall lapse unless otherwise provided by special arrangement approved by the administrative head of the group and the President. The administrative head of each group shall file with the President a report of the time and the amount of vacation actually taken by each member of his staff. Leaves of absence without pay or leaves of absence with pay for other reasons than illness, University business, or attendance upon professional meetings shall diminish vacation periods proportionately.

In the Medical Branch the employees on a nine-months' basis are ordinarily paid in twelve equal monthly installments, their privileges and responsibilities being otherwise the same as employees on a nine-months' basis at the Main University. In the case of the death of an employee on a nine-months' basis at the Medical Branch during the nine months on duty, fair payment will be made to the family of the deceased of the already earned portion of the salary for the remaining three months.

A member of the staff on vacation shall keep the President informed of his address.

Appointments to serve in the Summer Session shall be made annually and shall specify the work periods in each case.

Sec. 11. Leaves of absence with pay.—In general no member of the staff shall voluntarily absent himself from his proper duties at the University except by the permission of the President. Ordinarily the request for a leave with pay shall, stating reasons, be transmitted to the President and Board through the Chairman and Dean or other appropriate general administrative officer.

Leaves of absence in excess of two weeks with pay are rarely or never granted and can be granted only by the Executive Committee of the Board or the whole Board. This statement is not to be understood as excluding leaves from regular duties in order to do research with pay out of some research fund.

Very brief leaves of absence granted with pay, together with the reasons therefor, shall regularly be reported by the President to the Board at its next meeting.

Leaves due to illness.—In cases where illness incapacitates any employee of the University who has been in the service for one year or longer, such employee's salary shall be paid as a matter of course for a period of one month following the end of the month in which he is taken ill. If, in cases of illness extending beyond the period above specified, it shall be necessary to employ a substitute to do all or a part of the work of the employee who is ill, the Regents may, at their discretion, deduct from the salary of such employee enough to pay the substitute. But, where the work of such employee is carried during his illness by others already in the employ of the University and without additional compensation from the University, no such deduction will be made by the Regents. In the case of the death of an employee, the salary of the employee will be paid to his family for a month following the death of the employee.

Sabbatical leave.—The Board is not yet able to grant sabbatical and other similar travel and study leaves with pay.

Retiring allowance.—The Board is not yet able to grant retiring allowances.

Sec. 12. Leaves of absence without pay.—Leaves of absence without pay shall be granted for good cause for a period falling within the term of appointment, the absence being timed in advance so as to interfere as little as possible with the work of the University. Leaves of absence without pay diminish vacation periods proportionately, but shall not affect tenure.

Sec. 13. Outside employment.—Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for the public benefit free of charge, provided that the meeting of this obligation by a staff member does not interfere with his regular duties, and provided further that in meeting this obligation a staff member on full-time duty shall duly avoid competition with legitimate private agencies.

No member of the staff of the University, full-time or part-time, on a twelve-months' or nine-months' basis, shall be employed in any outside work or activity until a description of the nature and extent of the employment has been filed with the appropriate budget council and dean or administrative officer and approved by the Board of Regents, exception being made in the case of teachers on a nine-months' basis who (a) teach or engage in research at other undergraduate or graduate summer schools, or (b) accept appropriate professional employment during the three months when they are off duty at the University.

While it is not possible to draw the line definitely between temporary professional service of an expert or consultative character

and routine professional work, the entrance of the University staff into ordinary competition in the various professional fields is disapproved, exception being made during the annual vacations of twelve-months' employees and the off-duty periods of employees on a nine- or a ten-months' basis.

No member of the staff shall receive from any outside source any regular retaining fee or salary unless the arrangement shall have been first filed with the appropriate budget council and dean or administrative officer and approved by the Board of Regents.

No member of the staff shall engage in any outside activity, professional or otherwise, which interferes with his University engagements. Outside activities, if any, should contribute to growth and efficiency in his special field of University work or at least not hinder.

No member of the staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the University or give as a business address any building or department of the institution.

No member of the faculty shall accept employment which will probably bring him as an expert or in any other capacity into antagonism with the interests of the State of Texas.

Every member of the teaching staff who gives professional opinions must protect the University against the use of such opinions for advertising purposes. That is, when a member of the staff does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the University is not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.

No member of the faculty shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of University property.

Sec. 14. Communications with members of the Legislature and other State officials by members of the staff.—The President and the Board of Regents are the only proper channel through which recommendations concerning the administration of the University, as a whole or in any of its parts, should reach the Legislature or other state officials and authorities.

Without the knowledge and approval of the President, no employee of the University should initiate, or promote with individual members of the Legislature or other State authorities, any recommendation concerning general University policies or concerning his personal advancement, the advancement of his department, or the advancement of any other individual or department.

An employee of the University who, by invitation of a member of the Legislature or a State official, shall discuss policies affecting the University as a whole or any of its parts is under an obligation of honor to inform the President of the nature of such discussion.

The purpose of this statement of principles is to restrain members of the faculty and other University employees from interceding with members of the Legislature or other State officials for personal or departmental favors or for favors to other individuals or departments. It seems obvious that discrimination in favor of one individual or department must, in general, be at the expense of other individuals and departments; hence this statement of principles, whose adoption imposes an obligation which faculty members may not honorably disregard.

Sec. 15. Other duties and restrictions.

a. *Office hours.*—A member of the teaching staff is expected to post on his office door and publish in the Announcement of Courses and Directory such office hours and conference periods as he deems most advantageous to his students.

b. *Standard day and week for non-teaching staff.*—For all non-teaching and nonprofessionally-trained members of the staff the standard or normal full-time work day shall be eight hours, and the standard work week shall be forty-five hours.

c. *Use of University property.*—No one connected with the University, in any capacity, shall use for his own pleasure or for any other personal purpose University property of whatsoever description, and no one shall be permitted to remove from the buildings or grounds any property belonging to the University, even though it may seem to be of no value, unless it be temporarily and pursuant to some well-established regulation or usage (e.g., books from the Library), or with the distinct written approval of the Comptroller of the University.

d. *Salary for correspondence and extension teaching of full-time members of the staff.*—Full-time employees on a twelve-months' basis may receive not more than two hundred and fifty dollars (\$250) per fiscal year for correspondence and extension-center teaching and may not be paid additional money for summer-school teaching. Full-time employees on a nine-months' basis may receive not more than two hundred and fifty dollars (\$250) for correspondence teaching during the fiscal year and extension-center teaching during the nine months of their regular employment, but may be paid additional for summer-school teaching or for extension-center teaching during the three summer months.

e. *Employees as students.*—An employee whose compensation is at the rate of twelve hundred dollars (\$1200) or more per Long Session shall be entitled to register for three semester hours of course work per semester if employed full-time; for six semester hours per semester if employed three-fourths' time; for nine semester hours per semester if employed one-half time; for twelve semester hours per semester if employed one-fourth time.

In the case of a tutor, an assistant, or any other employee whose compensation is less than the twelve hundred dollars (\$1200) per

Long Session rate, the conditions of registration and employment are set forth on the proper appointment blanks.

f. *Use of textbooks written by members of the staff.*—No textbooks, notebooks, or other materials for the use of students, written or prepared by a member of the University staff, shall be prescribed for the use of students or sold to students until such books, notes, or materials shall have been approved by the departmental faculty and the Dean or Deans concerned and a record made in the Office of the President of the proposed prices and profits.

g. *Acceptance of money from students.*—Members of the staff, without previous and special approval of the Board of Regents, shall not collect from students any fees or charges to be expended for University running expenses, and shall not sell to students books, notes, or similar student supplies. No member of the staff with the rank of instructor or above may accept any pay for extra instruction or teaching of students in the University. On the written recommendation to the dean from the chairman of the department concerned, tutors and assistants may accept pay from students for extra-class instruction or coaching but only in courses with which they have no connection.

h. *Attendance at professional meetings.*—Members of the staff should be disposed to attend, at least occasionally, meetings of the Texas State Teachers Association and other meetings of associations and societies in their special fields. The University from time to time makes provision under certain rules for paying all or part of the expenses incident to such attendance, but the provision is insufficient to meet the desirabilities in the case.

i. *Power to authorize expenditures out of University funds.*—No expenditure whatever out of the University funds shall be made and no debt or obligation whatever shall be incurred and no promises shall be made in the name of the University or Board of Regents by any member of the staff except:

(1) In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in the Minutes; or

(2) In accordance with authority specifically vested by the Board in a committee of the Board; or

(3) In accordance with authority to act for the Board when it is not in session, specifically vested by these Rules and Regulations or by special action of the Board in some officer of the University. (Cf. *Revised Civil Statutes, 1925, Article 2594.*)

It is the duty of the Auditor as the disbursing agent of the University to return unpaid all claims for payment of items that seem to him not authorized as indicated above.

There shall be no sale to or purchase from the University by any member of its staff unless it has been duly authorized by the

Board and the details relating thereto have been entered in its Minutes.

j. *Power to bind the University in fixing its policies.*—No member of the staff, as an individual or as a member of any association or agency, has the power to bind the University in fixing its policies unless such power has been specially, specifically, and officially conferred in advance by the Board of Regents. Any action which aims to change the policies of the University, taken by any association or agency, shall not be in effect until the University has been officially notified of the proposed change and the action has been ratified by the Board of Regents in the due order of business.

k. *Power to accept gifts to the University.*—No member of the staff has the power to accept gifts to the University unless the gifts be of very small value, of very obvious propriety, and without conditions attached. Gifts proposed through members of the staff should be reported to the Board of Regents with recommendations. The Board, in considering the acceptance of gifts, will often seek advice from the appropriate members of the staff.

CHAPTER II

DUTIES OF CERTAIN GENERAL OFFICERS

Section 1. *The President.*—The President of the University shall be the expert advisor and responsible agent of the Board of Regents and the chief executive of the University. He shall also be an agent of the Committees of the Board, and he shall serve at the pleasure of the Board. He shall be held responsible by the Board for the carrying out of its policies, and his discretionary powers shall be broad enough to enable him to meet his extensive responsibility. He shall keep the Board fully and promptly informed and advised on all matters relating to the operations and welfare of the University. All other officers, teachers, and employees shall be responsible to, and under the direction of, the President, and all communications from them to the Regents relating to the University shall ordinarily pass through his hands with any endorsements he may deem it proper to make. The President shall give opportunity to every member of the University staff to offer suggestions to him for the welfare and better service of the Institution (cf. Chapter I, Section 6) and shall, when he deems it desirable, make suggestions to the General Faculty, the School or College Faculties, and the various subdivisional staffs. The President shall be the regular channel of communication from the faculties, officers, and members of the staff to the Board of Regents.

The President shall recommend suitable persons to fill all vacancies and new positions, and he is authorized to fill vacancies temporarily, to make such minor appointments as are specially permitted by the

Board, and to make other arrangements in all emergencies arising between the meetings of the Board so that the work of the University shall not suffer. He shall report his executive acts between meetings to the Board at its next meeting, shall be prepared to give the Board information regarding the competency and diligence of officers, teachers, and employees, shall hold all of such officers, teachers, and employees to the full discharge of their duties, and, if in his judgment the necessity arises, shall initiate the procedure for the dismissal of any of them. He shall be a member of all faculties, shall be chairman *ex officio* of the General Faculty, and shall see to the execution of all regulations. He shall appoint all General Faculty standing and special committees unless otherwise provided. He shall nominate to the Regents the Chairmen of the Departments after consultation with the appropriate Dean. He shall pass upon the offering of courses of small registration. He shall attend the meetings of the Board of Regents and shall follow its directions in any particular matter; but the Board will not undertake to direct the details of executive action, and the President is expected to act with perfect freedom within the lines of the general policies laid down. At a regular autumn meeting of the Board of Regents he shall present an annual report embodying a survey of the year in all departments. At a regular spring or summer meeting he shall present a budget together with all relevant recommendations and estimates of incomes and expenditures. At a regular spring meeting of each even-numbered year he shall also present his recommendations concerning the legislative appropriations to be asked for the next ensuing biennium.

Sec. 2. **The Vice-President.**—The Vice-President shall be chosen by the Board of Regents upon recommendation of the President and shall exercise such duties in internal administration as may be delegated to him by the President.

Sec. 3. **The Deans of the Colleges or Schools, of the Medical Branch, and of the Division of Extension.**—The Deans of the several Colleges and Schools shall be qualified for professorial rank and shall attend to the faithful and prompt execution of all regulations and routine affecting their Colleges or Schools, primary jurisdiction over general student life and conduct resting with the Dean of Student Life at the Main University and with the Dean of the Medical Branch at the Medical Branch. They shall concern themselves with the scholastic welfare of individual students, helping, advising, commending, reproving, and dismissing, in accordance with the scholastic regulations. They shall certify to the compliance of individual students with the requirements for graduation, attend to honors, to delinquent student lists, to majors and minors, to course prerequisites, to the adding and dropping of courses by students, and to absences; and shall keep useful statistical tables relating to these and other scholastic student matters not kept by the Registrar or

other officers, copies of these tables being furnished annually to the Registrar for incorporation in his annual statistical report. When they deem it wise, the Deans of the Colleges or Schools shall recommend to their Faculties or to the General Faculty changes in the above-mentioned regulations and routine. They shall present to the General Faculty those actions of their respective Faculties that require action by the General Faculty. They shall advise with individuals and with budget councils and with departmental faculties regarding working loads and individual duties and regarding individual qualifications and fitness and performance, keeping the President informed on all matters of service and personnel within their respective jurisdictions.

They shall be chairmen *ex officio* of their respective Faculties and shall appoint the standing committees thereof unless otherwise provided.

They shall receive from the departments of instruction and research the reports and recommendations provided for in Section 5 of Chapter IV and shall transmit them to the President with such recommendations, suggestions, and additional information as they may deem wise, bearing in mind (a) the avoidance of overlapping courses in a department or between departments, (b) the avoidance of too many or too few courses in a department, (c) an equitable distribution of the working loads of teachers, (d) the needs of the Graduate School, the Division of Extension, and the other Schools, Colleges, and Bureaus dependent upon the services of a department, (e) the need of both efficiency and economy, (f) the necessity of careful investigation of all nominations for promotion and appointment in their respective Faculties and staffs.

Following the reception of the annual reports of the departments, due October 15, every Dean shall present to the President on or before November 1 a complete written report of the condition and performance of the College or School under his supervision during the past fiscal year, inserting in such report his regular statistical tables for printing and all other information that he may deem helpful.

Following the reception of the annual or special budgetary recommendations of the departmental faculties and budget councils provided for in Section 6 of Chapter IV, each Dean shall transmit to the President the departmental recommendations together with his own recommendations thereupon and those of the executive or budgetary committee. In addition, each Dean shall make annual budgetary recommendations relating to the staff and maintenance of his own office.

When departmental recommendations relate to two or more Colleges or Schools or to the Graduate School or the Division of Extension, it shall be the duty of all the Deans concerned to confer and

transmit to the President either concurrent or separate recommendations. When there is a considerable divergence of opinion between a department and a Dean or Deans, it shall be the duty of the Dean or Deans to confer with the department before the departmental recommendation is transmitted to the President. Requests for the services of a department coming from some other subdivision of the University shall be transmitted to the department by the administrative heads of the subdivision through the Dean of the department concerned.

The Deans shall be elected biennially by the Board of Regents, upon the nomination of the President, and shall serve for the two years of a legislative biennium. In case of the resignation or the death of a Dean during the two-year term, the President shall nominate his successor for the unexpired portion of the term. In case of the disability or absence on leave of a Dean, the President shall appoint an Acting Dean. Each Dean, unless otherwise specifically ordered, shall serve on a twelve-months' basis with a thirty-days' vacation, the time of the vacation to be agreed upon between the Dean and the President.

The Dean of the Medical Branch shall be qualified for professorial rank and shall be Dean of each College and School at Galveston and shall represent the President in appropriate matters during the latter's absence. He shall execute all the Rules and Regulations of the University applicable to the Medical Branch which have been approved by the Board of Regents. He shall deal with the admission of students to the Medical Branch and shall matriculate only those approved by the Faculty and Admissions Committee. He shall study the needs of the Medical Branch, plan for its improvement, and make recommendations to the Medical Faculty with a view to correlating its courses of instruction. He shall supervise the preparation of the catalogue material of the Medical Branch, the schedule of examinations, the schedule of hours on the roster, and the schedule of rooms for classes. He shall serve as Dean of Student Life at Galveston. He shall make an annual report to the President on or before November 1 of each fiscal year. He shall be a member *ex officio* and the presiding officer of the Faculty and Admissions Committee and the John Sealy College of Nursing Committee. He shall designate the student eligible for the Isabella Brackenridge Scholarship and shall receive applications for loans from the Isabella Brackenridge Loan Fund.

The Dean of the Graduate School, in addition to the duties listed above, shall pay special attention to the recommendations concerning the teaching of thesis and dissertation courses, to the programs for graduate degrees, to the formal acceptance of theses or dissertations, and to the final approval of the work completed. He shall also be charged with the duty of keeping a list of faculty and graduate

student publications in a form suitable for a permanent record and for publication from time to time.

The Dean of the Division of Extension shall be qualified for professorial rank and shall be the administrative head of those extramural activities of The University of Texas which may be assigned by the Board of Regents to the Division of Extension. His relation to the Bureaus in his Division shall be similar to the relation of the Dean of a College to the departments thereof. He shall transmit to the Chairman and the Dean of the department concerned, making such recommendations as he may deem wise, requests from the Director of the Bureau of Extension Teaching for the department to carry or undertake or abandon certain correspondence and Extension Center courses.

Sec. 4. **Assistant Deans.**—As the need for their services arises, Assistant Deans may be appointed to attend to some of the duties of the Deans. They shall be elected biennially by the Board of Regents upon the nomination of the appropriate Dean and the President.

Sec. 5. **The Student Life Staff.**

a. *The Dean of Student Life.*—The Dean of Student Life shall be the head of the Student Life Staff in charge of all extracurricular activities not assigned to some other officer. He shall be appointed biennially by the Board of Regents upon the recommendation of the President, and shall serve for the two years of a legislative biennium on a twelve-months' basis, unless otherwise specifically provided. He shall be qualified for professorial rank. He shall keep in sympathetic touch with the students and shall personally and in cooperation with other officers and teachers help them to become good, useful, and efficient citizens.

The Dean of Student Life shall be *ex officio* chairman of the Committee of Faculty Supervisors of Official Non-athletic Student Activities, of the Loans to Students Committee, and of the Student Life Committee. He shall be charged with the administration of student discipline in the University, in which capacity he shall have the assistance of the faculty Committees on Discipline, which Committees report their decisions to him for execution. In performing other duties and administering specific University regulations, he shall be assisted by the following student life committees in addition to the Committees on Discipline, Student Life Committee, Loans to Students, and Faculty Supervisors of Official Non-athletic Student Activities: Religious Life, Student Government, Student Social Affairs, Student Social Organizations, Student Publications, Student Musical Organizations, Student Dramatic Organizations, Forensics, Intramural Athletics for Men, Intramural Athletics for Women, Student Living Accommodations, Sick Men Students, and Sick Women Students.

The Dean of Student Life, assisted by the Dean of Men and the Dean of Women, shall prepare an annual report containing, among

other information, statistics relating to the scholarship of fraternities, sororities, and other social student groups; similar statistics concerning the scholarship of intercollegiate athletic squads and official extracurricular non-athletic student groups; housing statistics; statistics of the discipline committees; and any other information pertaining to the welfare of the student body in general.

The Dean of Student Life shall make budgetary recommendations concerning the work within his jurisdiction.

b. *The Dean of Men and the Dean of Women.*—The Dean of Men and the Dean of Women shall be appointed biennially by the Board of Regents upon the recommendation of the President, after consultation with the Dean of Student Life, to serve for the two years of a legislative biennium on a twelve-months' basis, unless otherwise specifically provided. They shall be qualified for professorial rank, and shall assist the Dean of Student Life in exercising a general and helpful oversight over the extracurricular activities of men and women students, respectively.

It shall be their duty to strive to develop among students such a mode of conduct as will maintain the highest standards and produce later the highest type of public-spirited citizens. It shall be their duty to give specific and helpful advice to students concerning the important social relations that grow out of their membership in the University community. Subject to the approval of the Dean of Student Life, either the Dean of Men or the Dean of Women may dispose directly of minor cases of discipline. Such cases shall be immediately reported in writing to the Dean of Student Life.

The Dean of Men and the Dean of Women, respectively, shall nominate annually through the Comptroller and the President the Directors respectively of the Men's and Women's Dormitories.

c. *Director of Student Employment.*—A Student Employment Bureau shall be maintained under the direction of a Director of Student Employment, who shall be a member of the Student Life Staff, appointed annually. The special responsibility of the Director of Student Employment shall be to aid in the securing of employment for students.

d. *Directors of student activities.*—Directors of student musical organizations and of other student activities which derive partial support through the Student Life Staff shall be responsible to the Dean of Student Life for the proper conduct of the activities under their direction. These officials shall be appointed annually by the Board of Regents upon recommendation of the President.

e. *Director of Intramural Athletics for Men and Director of Intramural Athletics for Women.* See Sections 43 and 44, respectively, of Chapter VI.

f. *The University Health Service.*—The University Health Service, with a staff of physicians and nurses appointed by the Regents, shall have for its chief officer a Director of the Health Service who

shall report through the Dean of Student Life to the President and Board of Regents and who shall, together with his staff, be appointed biennially or annually as the Regents, upon recommendation of the President, may in each case determine. It is the duty of this Service to attend to the individual health of students of the University and to attend to the health of the University as a community under conditions more particularly set forth in the Main University Catalogue.

At the Medical Branch the physicians of the staff attend to the illnesses of students, without fee. All admissions to the hospital require the Dean's approval.

Sec. 6. *The Librarian.*—The Librarian shall have charge of and be responsible for the proper administration of the University Library. He shall be qualified for professorial rank and tenure. He shall serve on a twelve-months' basis and shall be appointed biennially by the Regents upon the recommendation of the President.

The University Library comprises all books, maps, charts, music scores, photographs, prints, manuscripts, and similar documents purchased out of University funds, or acquired in any other manner by the University, except such as are of an administrative nature and such maps and charts as relate to or are used in the internal organization of the several departments. For administrative purposes, the University Library consists of the general library, certain special libraries acquired by gift or purchase, the school or college libraries, and the departmental libraries. No separate unit of the Main University Library shall be established or maintained outside the Main University Library Building except by specific permission of the Board of Regents.

The Librarian shall make recommendations to the President in regard to the appointment, promotion, and dismissal of members of his staff, in regard to the determination of questions of administrative policy, in regard to the selection of books for the Library, and in regard to the entire budget of the University Library. He shall authorize the purchase of all library books, maps, and similar items and all supplies for the Library of the Main University. He shall enforce order throughout the Library and shall report to the Dean of Student Life such breaches as may call for discipline. At the time designated by the President he shall make an annual report to the Board of Regents on the condition and needs of the Library. At the time designated by the President he shall present budgetary requests for the ensuing year, and in the even-numbered years he shall also present requests for the next succeeding legislative biennium.

The Librarian shall be *ex officio* a member of the Library Committee of the General Faculty. He shall consult with and be consulted by the Main University Library Committee of the Board of Regents.

The Librarian of the Medical Branch shall be qualified for professorial rank and tenure and shall be charged as far as applicable with the same duties as the Librarian of the Main University.

Sec. 7. **The Registrar.**—The Registrar shall attend to admission, registration, scholastic records, administrative publications, and miscellaneous examinations, and shall be chairman *ex officio* of the General Faculty Committees on Admission Requirements, Admission from Other Colleges, Accredited Schools, Schedule, Diploma, Publications, and Administrative Publications. He shall make budgetary recommendations concerning the work within his jurisdiction.

a. *Admission.*—The Registrar shall see to the execution of all regulations dealing with the admission of students to all Colleges and Schools of the University. He shall evaluate entrance certificates and college transcripts and shall determine eligibility for admission, fixing such terms and conditions as may be necessary. He shall supervise the removal of admission conditions of all students.

b. *Registration.*—The Registrar shall be responsible for the registration of all students and shall ask such members of the faculty as may be required to assist him therein.

c. *Records.*—The Registrar shall keep permanent, systematic, and convenient records containing the semester or term grades of each student and all other recordable information about the student that the University may at any time need, and he shall organize, interpret, and publish as much of this information from time to time as is desirable and as the facilities of his office permit.

d. *Administrative publications.*—The Registrar shall serve as Chairman of the Administrative Publications Committee of the General Faculty and shall, with the advice of the Committee and under the regulations of the Faculty and the Regents, edit and supervise the preparation of all administrative bulletins, including all catalogues of the Long and Summer Sessions, the annual Directory, and the Final Announcement of Courses. The Registrar shall also attend to the distribution of the administrative publications.

e. *Other publications.*—The Registrar shall serve as Chairman of the Publications Committee of the General Faculty and as Secretary of the General Publications Committee of the General Faculty (or a member of his staff may be designated by him to serve in this latter capacity). All work done by the University Press on University publications—administrative, general, or bureau—must be authorized by the Registrar.

f. *Space assignments and schedules.*—He shall serve as Chairman of the Schedule Committee of the General Faculty and shall, with the advice of the Committee, prepare all schedules of hours, classes, and examinations for all Colleges and Schools; and, likewise, he shall assign space in all buildings and on all playing fields with a view to maximum efficiency and economy. Exceptions: Gregory Gymnasium and Hogg Memorial as auditoriums, the Cafeteria, the Power House, the Texas Union, and the Dormitories are in the charge of other officials. Requests for miscellaneous uses of rooms in any building after scheduled hours shall be handled by the Comptroller.

g. *Diplomas.*—The Registrar shall serve as Chairman of the Diploma Committee of the General Faculty and shall, with the advice of the Committee, see to the purchasing of diplomas, their lettering, and their delivery to the students. He shall assemble also the lists of candidates for the Commencement Program.

h. *Supervision of miscellaneous matters.*—He shall have charge of examinations not otherwise provided for, shall authorize refunds of the registration fee under prescribed rules, and shall supervise and administer the rules governing undergraduate Regents' Scholarships.

The Registrar shall be responsible directly to the President, shall be appointed biennially on a twelve-months' basis by the Regents upon recommendation of the President, and shall make an annual statistical report through the President to the Board of Regents containing, for both the Long Session and the Summer Session, ample student personnel information in National or State standard forms where such forms exist. Included in this report shall be: (1) Number of students, classified by sex, by College or School, by class, by sessions (Long and Summer), and by divisions (Residence and Extension), duplicates excluded; (2) Mode of admission, first-year and non-first-year, age, nativity, residence, degree of self support, church affiliation, occupation of parents; (3) Number and scholarship of graduates from high schools; (4) Admissions and withdrawals during certain intervals; (5) Semester hours enrolled for and passed, by departments, classified; (6) Number of classes and sections, classified by size of class; (7) Number of courses offered, in semester hours, by department and rank; (8) Number of degrees granted.

Sec. 8. **The Comptroller.**—The Comptroller shall be appointed biennially on a twelve-months' basis by the Regents upon the recommendation of the President and shall serve as the representative of the President in the supervision of all strictly business operations of the University not specifically assigned to some other officer. He shall maintain the maximum of efficiency in these operations, consistent with the controlling educational purposes of the Institution. He shall be expected to act freely and responsibly within his field of labor and shall have full control of all employees under his supervision, with authority to make such changes in the personnel at any time as he may think consistent with the best interests of the University, subject to State laws and the rules of the Institution and to the approval of the President and the Board of Regents. He shall make reports and recommendations concerning the work under his supervision to the Regents through the President. The Comptroller shall enter into a bond in the sum of fifty thousand dollars (\$50,000.00), executed by an acceptable surety company authorized to do business in Texas, that he will fully and faithfully perform the duties of his office; and he shall require a suitable bond of all of his subordinate officers charged with the custody of funds.

With the advice and under the direction of the Land Committee of the Board of Regents the Comptroller shall manage the State and privately donated endowment lands and their appurtenances, and for that purpose there shall be maintained a competent staff for the necessary purposes of surveying, geologizing, oil and gas lease valuing, production gauging, and surface leasing of endowment lands. The Comptroller and staff members shall consult freely with the Land Committee of the Board in the solution of problems relating to University endowment land management.

The Comptroller shall have charge of supervising the production and selling of oil, gas, and other minerals produced on University lands. He shall maintain a competent staff for the purpose of auditing the accounts of producing and transporting agencies, with a view to ascertaining that the University collects the proper amount of royalty from such production.

The Comptroller shall assist the Land Committee in the leasing or renting of University lands, in the collection of rentals, and in the upkeep of the property and, in fact, shall do all things necessary to maintain the property and to secure equitably from it as much profit as possible for The University of Texas. Pipe-line, telegraph, telephone, power-line and highway easements, sales of water, sand, gravel, and similar products, and grazing, townsite, and all other manner of leases of the Permanent Endowment Lands of The University of Texas which are under the jurisdiction of the Board of Regents shall be in charge of the Comptroller. He shall keep complete records of all leases, easements, and the like and shall exercise due vigilance in seeing that the University's interests are at all times properly cared for in the matter of preservation of property, terms of leases, and all other things necessary to proper handling of this estate.

The Comptroller shall cooperate with the Board for Lease of University Lands in any appropriate manner to the end that these lands may be properly surveyed, their geology studied, the progress of drilling noted, and all other things useful and necessary in this connection may be done.

With the advice and direction of the Finance Committee of the Board of Regents, the Comptroller shall invest the trust and endowment funds in the possession of The University of Texas or its Board of Regents and shall manage the privately donated endowment lands and their appurtenances. He shall maintain under a competent officer an investment office, in which shall be gathered and accumulated information concerning the cities and counties of Texas with a view to ascertaining the quality of their bonds, their financial strength, their population, wealth, resources, industries, and all other things necessary to determine to what extent and at what price their securities should be bought for the endowment funds belonging to or managed by The University of Texas. He shall consult frequently with investment

bankers and other competent persons, shall use discretion in ascertaining the nature and soundness of securities, shall consult freely with the Finance Committee of the Board, and shall make investments upon the authority of a majority of this Committee. It shall be his duty to keep informed as to the prices and soundness of securities held by the University and to advise the Finance Committee when, in his judgment, any securities held by the University should be disposed of.

In the event that the Board of Regents of The University of Texas is engaged in litigation affecting the property or the activities of The University of Texas, any attorneys furnished by the State or employed by the Board shall have the cooperation and assistance of the Comptroller and shall report to him for transmission through the President to the Board of Regents such information and requests as they may deem proper. The Comptroller shall be charged with the duty of notifying the Regents through the President of the need of any legal action deemed necessary by him properly to protect any of the University endowment lands or funds.

The Comptroller shall, subject to State laws, supervise the purchasing of all general supplies and all materials for use in the Main University except purchases specifically assigned to some other officer, such as the purchase of books by the Librarian and the purchase of technical equipment by departmental chairmen; but no purchase other than books bought by the Librarian shall be made except upon an order signed by the Comptroller or the Purchasing Agent, whose duties shall be under the supervision of the Comptroller. All purchases or work of consequence, certainly if involving as much as \$1,000, shall, where practicable, be made on contract and let on the basis of competitive bids. The Purchasing Agent, in lawful cooperation with the State Board of Control, shall determine and specify standard types of equipment such as desks, chairs, blackboards, etc., bearing in mind both economy and suitability, and shall keep on hand minor supplies, such as pens, pencils, paper, etc., and materials for the work of shops and agents under his charge, and shall give them out on proper requisition to the various individuals entitled to them.

The Comptroller, in his capacity as Superintendent of Buildings and Grounds of the Main University, shall care for all buildings and grounds owned or occupied by the Main University. He shall have charge of the direction and supervision of all minor improvements and repairs in connection therewith. He shall consult with and be consulted by the chairman of the Schedule Committee and other appropriate officers regarding repairs and alterations of rooms. He shall be responsible for the expenditure of funds provided for these purposes and shall arrange by contract or otherwise for such expenditure. He shall have charge of the following: (a) the heating and power plant and other services to the University buildings, including heat, light, power, water, gas, and telephone; (b) the repair

shops and general storerooms, including the necessary workmen, skilled and unskilled; (c) the janitors, watchmen, police, and others necessary for the care and protection of the buildings of the University; (d) all physical plant equipment belonging to the University; (e) superintendence and maintenance of grounds, roads, walks, and athletic fields; (f) the use of the plant outside class hours.

The Comptroller shall be custodian and shall be responsible for the safekeeping of all property belonging to the Main University, shall keep a correct inventory thereof, and shall present such inventory to the President before the annual October meeting of the Board of Regents. He shall have the authority to require of all departmental chairmen and other employees, at least annually, and oftener if necessary, a full statement of the property in their immediate possession belonging to the University. He shall supervise, under specific orders of the Board of Regents, such sales of University property as may seem to be advisable.

The Comptroller shall have general supervision over all dormitories, cafeterias, or dining halls operated by the University. The Business Directors of these institutions shall submit their recommendations and budgets to him, and he shall transmit them to the President with his recommendations. The Budget Council of the Department of Home Economics shall serve in an advisory capacity to the Business Directors named above (a) in regard to distribution of income, purchase and quality of food, room service, etc.; (b) by making available at all times the testing laboratories of the Department and other needed professional services.

The Staff of the dormitories shall consist of the following:

a. Business Director of Residence Halls and Resident Business Directors of individual dormitories. The Business Director of Residence Halls shall have a college degree in home economics and experience in institutional management and shall be nominated to the Board of Regents through the President by the Comptroller upon recommendation of the Budget Council of the Department of Home Economics. The Business Director shall be responsible in business matters directly to the Comptroller and shall perform the following duties: (1) be in full charge of all business pertaining to the operation of the dormitories including care of grounds and buildings, purchase of supplies, the planning and serving of meals, employment and direction of help, student help being chosen on advice of the Social Director but such of their duties as pertain to business operations being under the direction of the Business Director; (2) keep accurate accounts of all receipts and expenditures, issue room and board receipts, draw all requisitions and voucher all statements under the direction of the Auditor, in accordance with the University regulations; (3) employ such help not otherwise provided for as is necessary to carry on the above in accordance with the approved annual budget. The Resident Business Directors shall have college degrees

in home economics with either a major in institutional management, or experience in the institutional field, or both. They shall be nominated to the Board of Regents through the President by the Comptroller, upon recommendation of the Business Director of Residence Halls and the approval of the Budget Council of the Department of Home Economics. They shall be directly responsible to the Business Director of Residence Halls and shall aid in carrying out the duties as above assigned to her.

b. The Social Director of Women's Dormitories and Assistant Social Director of individual dormitories. The Social Director of Women's Dormitories shall have, preferably, both a college degree in a related field and experience in a related field, and shall be nominated to the Board of Regents through the President by the Comptroller upon recommendation of the Dean of Women. The Social Director of Women's Dormitories shall (1) assign all rooms; supervise the social life of the dormitories and be responsible for the observance of the general University regulations pertaining thereto; notify the Health Service of illness requiring special medical attention, and cooperate in the giving of proper attention; assist the students scholastically and personally as far as possible; (2) in conjunction with the Dean of Women, recommend, through the Comptroller, rules governing the conduct and social privileges of the students; (3) in conjunction with the Business Director, (a) advise regarding the annual budget as it concerns the staff and expenditures of the Social Director, (b) advise regarding the employment of student help, (c) recommend, through the Comptroller, rules governing life in the Women's Dormitories. The Assistant Social Directors shall have the same qualifications as set forth for the Social Director and shall be nominated to the Board of Regents through the President by the Comptroller upon recommendation of the Social Director of Women's Dormitories and the approval of the Dean of Women. They shall be directly responsible to the Social Director and shall aid in carrying out the duties as above assigned to her. There shall be an Assistant Social Director residing in each woman's dormitory other than the one in which the Social Director lives.

c. The Resident Director of Brackenridge Dormitories and Managers of individual dormitories in this group. The Resident Director of Brackenridge Dormitories shall have a college degree in a related field and experience or training in institutional housekeeping, and shall be nominated to the Board of Regents through the President by the Comptroller upon the joint recommendation of the Dean of Student Life and the Business Director of Residence Halls. The duties of this office shall be: (1) business duties, under the supervision of the Business Director of Residence Halls, related to the business operation of this group of dormitories; (2) social duties as recommended by the Dean of Student Life and including that of official hostess. The Managers of individual dormitories shall be mature

students, tutors, or part-time instructors nominated by the Comptroller upon the recommendation of the Dean of Student Life and the approval of the Resident Director.

d. The Manager of the Little Campus Dormitories, who shall be a mature student, tutor, or part-time instructor nominated by the Comptroller upon the recommendation of the Dean of Student Life.

e. Proctors, in the men's dormitories, and Student Assistants to the Social Director and her assistants in the women's dormitories, who shall be appointed by the Dean of Student Life or Dean of Women as the case may be, upon the recommendation of the person to whom they are immediately responsible and the approval of the Comptroller.

The Comptroller shall also have general supervision of such other auxiliary and service activities as the Stenographic Bureau, the University Press, and the University Workshop.

The Business Officer of the Medical Branch shall be responsible to the Comptroller and through him to the President and Regents and shall perform at Galveston the duties assigned at Austin to the Comptroller as purchasing agent, superintendent of buildings and grounds, custodian of University property, and supervisor of dormitories and dining halls. He shall have charge of all monies collected at the Medical Branch from fees and other sources and shall keep the accounts and records of the Medical Branch in conformity with the accounting system of the entire University, subject in accounting matters to the general supervision of the University Auditor. All disbursement vouchers charged against the Medical Branch General Budget shall require the approval of the Auditor before payment.

The Business Officer shall also serve as Registrar of the Medical Branch and shall keep permanent, systematic and convenient records containing the semester or term grades of each student and such other information about each student as may be desirable, conforming generally, like the Main University, to standard forms of student personnel recording. He shall also attend to diplomas and to the Commencement program. He shall serve as the Secretary of the Medical Faculty and of its Faculty and Admissions Committee. He shall have the power to call on the other officers of the Medical Branch for such information as he may need in the performance of his duties, shall make appropriate annual reports, and shall make budgetary recommendations concerning his staff through the Comptroller, sending a copy of his recommendations to the Dean of the Medical Branch.

The Comptroller shall have general supervision over the renting and care of the houses that were acquired when the campus was enlarged by purchase.

When the authorization of a new building is under consideration by the Board, the Comptroller shall make estimates of the fully completed cost thereof. He shall have supervision over the construction of all new buildings and auxiliary structures including steam

and electric line extensions. In making such estimates and supervising such construction he shall be assisted by the following:

a. The Building Committee of the Faculty (cf. Chapter VI, Section 14);

b. The Consulting Architect, whose duties shall be those defined by his contract with The University of Texas;

c. An Associate Architect, whose duties shall be those defined by his contract with The University of Texas;

d. A Supervising Architect, who, in addition, shall have charge of repairs and modification of existing buildings and such designing and construction as the President, with the advice of the Comptroller, may approve.

e. A Clerk of the Works, or Superintendent of Construction, whose duties shall be:

(1) To superintend the construction of the building in his charge in conformity with the plans, specifications, and such instructions as may be given by the architects;

(2) To report promptly in writing to the architects for their decision any changes, adjustments, or alterations necessary or required, with the reasons for these changes, adjustments, or alterations fully explained, filing copies of such communications with the Comptroller and President;

(3) To make minor adjustments when such are necessary in order not to delay progress on the building;

(4) To notify the architects several days in advance of the pouring of any concrete and the starting of the face brickwork;

(5) To notify the architect immediately when subcontractors report for their part of the work;

(6) To send the architects daily written reports regarding the progress of the work, such reports to be on forms provided by the architects, the superintendent keeping a copy thereof with a copy of each progress photograph, and furnishing the Comptroller with a copy.

If the Superintendent is not assigned to full-time duty on a given building, his other duties shall be subordinated so that he shall give his full time when concrete is being poured, masonry erected, and plastering and other important parts of the work are being started or placed (as the architects shall direct).

The Comptroller shall have general supervision of the accounting and auditing office of the University. This office shall be under the immediate charge of an Auditor who shall be an experienced and competent Certified Public Accountant nominated by the Comptroller to the President and the Board of Regents. He shall be appointed biennially on a twelve-months' basis. The Auditor shall be the accounting, receiving, and disbursing agent of the University for all money. He shall devise and have kept a complete set of double entry books embracing the voucher system which shall show all the

financial transactions of The University of Texas, and in such books under proper and appropriate headings shall be entered and kept the full, complete, and properly classified system of accounts showing at all times all the properties of The University of Texas, all the incomes and expenditures, and all the assets and liabilities of the University, clearly, truthfully, and fully.

The Auditor, or someone designated by him, shall sign all purchase requisitions, indicating thereby that the proposed purchase is properly covered by an appropriation made by the Board of Regents and that there is a balance in the appropriation sufficient to cover the estimated amount of the purchase. He shall audit the accounts of all expenditures and see that they are charged to and covered by proper appropriations, that all items for such expenditures are clearly for the purpose for which the appropriations have been made by the Board of Regents, and that they have been properly approved by the persons responsible for, and duly authorized to make, such expenditures; but in no case shall the Auditor approve bills or pay out funds except upon the previous authorization of the Board of Regents or officially designated authorities, and he shall be responsible for the proper accounting of every cent received or disbursed by him. He shall return to the Comptroller and to the persons concerned, without payment, all expense accounts of those connected with the University and all other bills against the Institution in which any of the items seem to him not in accord with the action of the Regents and with law.

All money received by the University shall be deposited regularly on the next business day, either with the State Treasurer of the State of Texas or with a depository bank selected in advance by the Board of Regents, according to the nature of the receipt. Necessary petty cash and working fund balances will be set up in specified amounts sufficient to meet petty payments, refund of student deposits, and other miscellaneous small payments. All checks drawn against funds on deposit with the University's depository bank shall be signed by the Auditor or someone designated by the Board of Regents to sign for him, and countersigned by the Comptroller or someone designated by the Regents to sign for him. In cases of their temporary absences from Austin, the President may designate some other official to sign for the Auditor or the Comptroller or both.

The Auditor shall prepare proper books and blanks for keeping a record of the receipts and disbursements of all money for which the University itself or any officer as agent for the University shall be responsible, and he shall prepare an annual report for publication in form satisfactory to the Comptroller, the President, and the Regents' Finance Committee. The report of each year's financial transactions, and all the books and records on which this report is based, shall be audited by a competent firm of Certified Public Accountants employed

by the Board of Regents for that purpose or by the State Auditor when so provided by State law.

The Auditor shall enter into a bond in the sum of fifty thousand dollars (\$50,000.00), executed by an acceptable surety company authorized to do business in Texas, that he will fully and faithfully perform all the duties now required of him or which may hereafter be required of him by the rules, regulations, and resolutions of the Board of Regents; that he will faithfully and honestly keep, account for, and turn over to his successor, or to such person as the Board of Regents shall direct, and according to the direction of the Board, all monies, property, vouchers, and papers belonging to the University for which he is responsible; and that he will keep a full set of books which shall correctly set forth all the financial and property accounts, transactions, and dealings of the University with all persons, as required by the Board.

Securities which are owned by The University of Texas or held in trust by it or by its Board of Regents and which are not required by the laws of the State or the direction of a donor to be handled in a specified manner shall be in the joint charge of the Comptroller and the Auditor. These securities shall be kept in a safety deposit box at a bank to be designated by the Regents. Access to these securities shall be had only in one of the following ways: (a) by the Comptroller and the Auditor jointly, (b) by two members of the Board of Regents designated by the Board for that purpose and either the Comptroller or the Auditor, (c) by the Comptroller and someone designated in writing by the Auditor, (d) by the Auditor and someone designated in writing by the Comptroller.

Sec. 9. **Business Manager of Intercollegiate Athletics.**—See Section 45 of Chapter VI.

CHAPTER III

THE GENERAL FACULTY, THE MEDICAL FACULTY, AND THE SCHOOL OR COLLEGE FACULTIES

Section 1. **Authority of the General Faculty of the Main University and of the Medical Faculty.**—The Board of Regents will use all its discretion and powers in efforts to make The University of Texas an institution of the "first class," as the Constitution directs in Article VII, Section 10. The Board will be guided in general by the practices of the best universities in the United States and abroad, especially state universities. The Board will not, except in extraordinary cases, act on important matters of educational policy until it has received, or requested and obtained, advice thereupon from the General Faculty or from the Faculty of the Medical Branch. When new policies originating in the General Faculty give rise to serious differences of opinion in the Faculty, the advice and recommended legislation shall, at the request of the minority, be accom-

panied by a record of the vote and by a summary of the reasons for and against the matters proposed.

Legislation by the General Faculty of the Main University or by the Faculty of the Medical Branch that involves the expenditure of additional money should not be submitted to the Board of Regents unaccompanied by an estimate by the Faculty of the additional money required.

No legislation by the General Faculty or Medical Faculty shall be effective unless approved by the Board of Regents, and no legislation by a College or School Faculty shall be presented to the Board of Regents for consideration until it has been approved by the General Faculty or Medical Faculty or voted upon for and against with reasons stated, as provided in the preceding paragraph. The Board of Regents will notify the Faculty of its actions on Faculty legislation, in general giving reasons when disapproving.

Subject to the Board of Regents, and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the University, the general charge of the Main University is entrusted to the General Faculty of the Main University, the general charge of the Medical Branch to the Faculty of the Medical Branch. Within this broad jurisdiction of the General Faculty and Medical Faculty fall such matters as (a) general educational policies and welfare; (b) regulations affecting student life and activities; (c) requirements for admission and graduation and for honors and scholastic performance generally; (d) approval of candidates for degrees; (e) rules of procedure.

Sec. 2. Membership of the General Faculty and of the Medical Faculty.—Voting members of the General Faculty and of the Medical Branch shall consist of all (a) professors, (b) associate professors, (c) assistant professors, (d) instructors who have served for three years or more, and (e) such other officers as the Board of Regents, upon recommendation of the President, may designate.

Each voting member, of whatever rank, shall be entitled to one vote.

Instructors at the Main University who have served for less than three years shall have the privilege of attending meetings with the right to speak but without the right to vote.

Sec. 3. Authority of the College or School Faculties of the Main University.—Subject to the limitations set forth in Section 1, each College or School of the Main University shall be under the immediate charge of its particular Faculty. Legislation applying primarily to one College or School, such as the requirements for admission and honors and degrees and the scholastic regulations, shall originate in that College or School, except as provided in Section 1 of this chapter and Section 1 of Chapter II; legislation affecting more than one College or School shall originate either in the General Faculty or in the Faculty of either College or School concerned.

Sec. 4. Membership of the undergraduate College or School Faculties of the Main University.—Voting members of the undergraduate College or School Faculties of the Main University shall consist (a) of all (1) professors, (2) associate professors, (3) assistant professors, and (4) instructors who have served at least one year, in the departments which compose the College or School; (b) of professors or associate professors or assistant professors selected from departments outside of, yet closely connected through degree requirements or subject matter with, the College or School and designated annually by the President upon nomination of the appropriate Dean; and (c) such other officers as the Board of Regents, upon recommendation of the President, may designate annually. Persons offering part-time instruction in courses listed in the course offerings of a School or College, whose regular work, salary, and title are in another School or College or subdivision of the University, shall have seat and voice privileges in the Faculty of the School or College in which such part-time instruction is offered. Upon nominations of both Deans, or of the appropriate Dean and subdivision head, any such person may be annually designated by the President as a voting member of such Faculty. These privileges shall not involve additional title or change of status, except as conferred by special action of the Regents upon recommendation of the President and the Deans and heads of the subdivisions and the budget council of the department concerned, in cases of unusual record for teaching or research. The number of annually designated voting members of a College or School Faculty shall not exceed one-third of the number of voting members *ex officio*. Instructors who have served for less than one year shall have the privilege of attending meetings with the right to speak but without the right to vote.

Each voting member, of whatever rank, shall be entitled to one vote.

Sec. 5. Membership of the Graduate Faculty.—For future additions to the Graduate Faculty, (1) regular members shall consist of full-time professors or associate professors in the Main University of Texas who shall be approved, without time limit, to have charge of resident graduate courses during long sessions; (2) associate members, with seat and voice but without vote, shall consist of members of the general Faculty who have been approved to be temporarily in charge of resident graduate courses during the long session; (3) *ex officio* members shall consist of the President, Vice-President, and Deans of Schools or Colleges which offer majors for graduate degrees.

a. Regular membership.—Recommendations concerning new graduate courses and changes in the teachers of graduate courses shall be made by the teaching departments concerned, except that the appropriate budget council shall recommend concerning supervisors of master's theses and doctor's dissertations. These recommendations

shall be acted upon by the undergraduate dean concerned and sent to the Graduate Dean for action by the Graduate Council and the Graduate Dean. Recommendations concerning the instruction of resident long session graduate courses, without time limit, shall constitute recommendations concerning regular membership in the Graduate Faculty and shall be sent to the Office of the President for approval by the President and the Board of Regents.

b. *Associate membership.*—The Graduate Council and the Graduate Dean shall give final approval for temporary appointments to teach graduate courses in the long session or summer session. In an emergency, the Graduate Dean may approve teachers of graduate courses for one summer session or one long session. Approval by the Graduate Council and the Graduate Dean of temporary instruction of resident graduate courses in the long session shall constitute associate membership in the Graduate Faculty. Summer appointments shall not confer membership in the Graduate Faculty.

c. *Right of appeal.*—When the Graduate Council or the Graduate Dean does not approve nominations to teach graduate courses, the Dean shall promptly notify the teaching department concerned, which shall have the right of appeal to the President.

Sec. 6. Meetings of the General Faculty and of the College or School Faculties.—The General Faculty of the Main University shall hold at least six regular meetings during the Long Session; the other Faculties shall hold at least one each semester during the Long Session. The Faculty of the Medical Branch shall have one regular meeting each month during the school year while the school is in session. Dates for the regular meetings shall be arranged by the Faculties or their Secretaries so as to lead to the minimum of conflicting dates, and published each May for the next Long Session. Special meetings of the General Faculty of the Main University shall be held at the call of the President or at the request of five voting members. Special meetings of the other Faculties shall be held at the call of the President or appropriate Dean or at the request of five voting members.

Notice of each meeting of the General Faculty and of all College and School Faculties shall be sent to all persons entitled to attend not later than the faculty mail of the morning preceding the day of the meeting, except in cases of emergency.

Sec. 7. Chairmen of the General Faculty, the Medical Faculty, and of the College or School Faculties.—The President shall be Chairman *ex officio* of the General Faculty and of the Medical Faculty; the Deans shall be Chairmen *ex officio* of their respective Faculties, the Dean of the Medical Branch serving also as Chairman of the Medical Faculty in the absence of the President.

Sec. 8. Secretaries of the General Faculty, the Medical Faculty, and of the College or School Faculties.—At the last scheduled meeting in the Long Session each Faculty shall elect its Secretary for

the following year, who shall record its minutes in a form both convenient and permanent, and shall furnish the members of the Faculty and the administrative officers promptly with copies of the minutes. In addition, the Secretary shall send out to the members notices of the meetings to be held, sometimes accompanied by information concerning the business to be transacted, and shall bring promptly to the attention of the persons concerned the actions of the Faculty.

Each communication not made from the floor during a Faculty meeting shall be transmitted to the Faculty by the person making it through the Secretary of the Faculty for distribution, record, and listing on the order of business.

Sec. 9. Committees of the General Faculty, of the Medical Faculty, and of the College or School Faculties.—Each Faculty shall establish such standing committees for the Long Session, Summer Session, or fiscal year as it may deem proper, with duties and powers within and subject to the jurisdiction of the Faculty, such duties and powers being plainly set forth in the minutes. Unless otherwise specifically provided, standing committees of the General Faculty shall be appointed annually by the President after consultation with the officer or officers whose duties are related to those of the various committees; standing committees of the Medical Branch shall be appointed annually by the President upon recommendation of a Faculty nominating committee and after consultation with the Dean of the Medical Branch; standing committees of the Faculties of the Colleges or Schools shall be appointed annually by the respective Deans. Special committees of the Faculties, when desired, shall be appointed in accordance with the Rules of Order on motion passed.

Sec. 10. Rules of Order to be followed by the General Faculty, the Medical Faculty, and the College or School Faculties.—Each Faculty shall adopt the general principles of parliamentary law as set forth in some standard work such as Roberts' *Rules of Order*, except in so far as the Faculty may modify certain details, such as the rules relating to quorums, order of business, debates, voting, suspending rules, making actions public, and other matters.

Sec. 11. Changes in the Catalogue and standing rules of the General Faculty, Medical Faculty, and the College or School Faculties.—Changes in those portions of the Catalogue which record Faculty action, except as otherwise provided in the rules of order of the several faculties, and changes in the standing rules of a Faculty shall be proposed in writing and shall lie over until the next meeting of the Faculty, regular or called, before they may be considered. The rule requiring changes in the Catalogue to lie over shall be suspended only by unanimous consent, provided that, when such changes have been put in legible form and copies thereof distributed to the members of the Faculty at least five days before the date of the meeting together with notice that the proposed changes are to be considered

at the next meeting, they may, upon a vote of the Faculty, be taken up immediately and disposed of.

Sec. 12. Rules of Order of the General Faculty.—The following shall constitute the Rules of Order of the General Faculty.

a. *Meetings.*—The General Faculty shall hold six regular meetings annually. These meetings shall be held on the second Tuesday of October, November, January, February, March, and May. Special meetings may be called upon vote of the Faculty, or by the President, or, in the absence of the President, by his substitute in office.

b. *General rules.*—The general principles of parliamentary law as set forth in Roberts' *Rules of Order* shall govern, except in so far as they may be modified by the Faculty.

c. *Quorum.*—A quorum shall consist of forty members entitled to vote.

d. *Order of business.*—At each stated meeting of the General Faculty the order of business shall be: (1) Approval of Minutes; (2) Reports of Secretary; (3) Special Orders; (4) Petitions; (5) Unfinished Business; (6) Reports: (a) Administrative Council, (b) Executive Committee, (c) College or School Faculties: (1) Arts and Sciences, (2) Business Administration (3) Education, (4) Engineering, (5) Fine Arts, (6) Graduate, (7) Law, (8) Pharmacy; (d) Standing Committees (in the order listed in Chapter VI), (e) Special Committees; (7) New Business: (a) Matters presented by the Deans, (b) Matters presented by members, (c) Matters presented by the President; (8) Adjournment.

e. *Committees.*—At the May meeting of the General Faculty, the President shall appoint the standing committees to serve during the succeeding Long Session. (See Chapter VI, Section 1, *et seq.*)

The President shall be *ex officio* a member of all of the committees and shall fill all vacancies that may occur.

Standing committees of the General Faculty shall meet once each year, and as much oftener as the committee may vote or the chairman may think necessary.

All special committees shall be appointed by the President except when otherwise provided.

Special committees shall meet on the call of the chairman.

The chairman of each committee shall keep the President informed of all important actions taken by his committee and shall report such action at the next regular meeting of the General Faculty.

Reports of committees must be in writing. A copy of every report or resolution should be submitted to the Secretary before it is brought up for consideration by the Faculty so that it will be available for the preparation of the Order of Business and for the use of the presiding officer at the meeting. It shall be inserted in the minutes and shall not, without unanimous consent, be considered until the next meeting unless legislation by circularization is proposed.

Reports of committees may be omitted from the reading of minutes except when the reading is called for by some member.

The chairman of each committee shall see that a record is kept of the action of his committee. The chairman of each standing committee shall pass to his successor in office the record so kept. The chairman of each special committee shall from time to time turn over to the Librarian, for preservation, all records, materials, and information collected by his committee.

f. *Debate.*—No one shall speak more than ten minutes upon any proposition without an affirmative vote of the Faculty.

No member shall be allowed to speak more than once upon any proposition without an affirmative vote of the Faculty.

The chairman of a committee whose report is under consideration shall not be subject to the preceding rules and shall have the privilege of concluding the debate in a five-minute speech. A similar privilege of summing-up for the opposition shall be granted to the leader of the opposition if the name of the leader is certified to the Secretary in writing by five members.

A motion to extend the time of a speaker shall be in order at any time and shall not be debatable.

g. *Voting.*—Yeas and nays may be demanded by any five members. Upon calls for yeas and nays, it shall be the duty of all members to vote unless excused by the presiding officer.

h. *Tabling amendments.*—An affirmative vote upon a motion to table an amendment shall operate to table nothing except the amendment in question.

i. *Resolutions in writing.*—All resolutions shall be in writing, and all motions and amendments shall be reduced to writing upon request of any member or of the Secretary of the Faculty. The report of a special committee on resolutions on the death of a member of the University staff shall be a special order and shall head the list of special orders.

j. *Approval of candidates for degrees.*—It is the duty of the Faculty to report to the Board of Regents its approval or disapproval of each candidate for a degree. This duty may be delegated by affirmative vote before the June or the August commencements, however, to the respective Deans, who shall check the fulfilling of all requirements. At the May meeting of the General Faculty, the Registrar shall furnish to all members of the Faculty a complete list of candidates for degrees in June, and at the October meeting shall furnish the names of all successful candidates in the preceding June and August commencements for recording in the Faculty minutes.

k. *Changes in degree requirements.*—All proposed changes in degree requirements shall regularly be acted on first by the School or College Faculty exercising jurisdiction over that degree. But when any change in requirements for an existing degree is approved by a School or College Faculty, the members of the General Faculty shall

be notified by circular, with reasons for the proposed change according to the form below:

Proposed Change in Degree Requirements

The Faculty of.....has approved the following change in degree requirements:

Catalogue, p.....

Reasons.....

If no objection is filed in the office of the President or of the Secretary of the General Faculty within ten days from the date of circularization, the change proposed above will be held to have been approved by the General Faculty. If objection is filed within this period, the proposed legislation will be presented to the General Faculty at its next meeting.

Filed with the Secretary of the General Faculty (date).

Date of circularization.....

The Secretary shall announce to the Faculty the result of this circularization, and, in case of no protest, the proposed change shall be held to be approved.

1. *Legislation by the Students' Association of the Main University.*—Legislation by the Students' Association that is to be approved by the General Faculty shall be subject to the same rules as changes in degree requirements proposed by separate faculties.

m. *Changes in catalogue or in standing rules.*—Changes in the provisions published in the catalogue other than requirements for an existing degree and in the standing rules of the Faculty shall be proposed in writing and shall lie over until the next meeting of the Faculty, regular or called, before they may be considered. But when such changes shall have been put in legible form and copies thereof distributed to the members of the Faculty at least three days before the date of meeting, together with notice that the proposed changes are to be considered at the next meeting, they may, upon a two-thirds' vote of the Faculty, be taken up immediately and disposed of. All proposed changes in the standing rules of the Faculty shall be referred to the Committee on Rules, of which the Secretary of the Faculty shall be a member.

n. *Suspending rules.*—No standing rule may be suspended except by a two-thirds' vote of the members present. The rule requiring changes in the catalogue to lie over shall be suspended only by unanimous consent, unless the proposed changes have been sent to the members of the Faculty at least three days before the meeting, as set out in the preceding rule.

o. *Effective date of Faculty legislation.*—Faculty legislation does not become effective until it has been printed in the University catalogue unless the legislation itself specifies the effective date, in which case the method of notification to the public, if necessary, shall be indicated at the time of adoption of the legislation.

Sec. 13. **Rules of Order of the College of Arts and Sciences.**—The rules of order of the General Faculty are the rules of order of the College of Arts and Sciences, except in the following particulars:

a. *Meetings.*—The College of Arts and Sciences shall hold at least one scheduled meeting each long session. All meetings shall be at the call of the Dean, or, in his absence, of his substitute in office.

b. *Quorum.*—A quorum shall be twenty-five members.

c. *Legislative procedure.*—Any proposed legislation, excepting such as is incidental to the business before the College in formal meeting, shall be submitted to the Dean, who shall determine whether it shall be submitted to the College at a called meeting or by circularization.

If the Dean determines to legislate by the circularization—no protest procedure, he shall circularize the faculty in the following form:

Proposed Legislation by the College of Arts and Sciences by the Circularization—No Protest Procedure

It is proposed:

If no objection is filed in the office of the Dean of the College of Arts and Sciences within ten days from the date of circularization, the legislation proposed above will be held approved. If objection is filed within the prescribed period, the proposed legislation will be presented to the College of Arts and Sciences at its next meeting.

Date of circularization:

Legislation submitted to the College of Arts and Sciences for enactment by the circularization—no protest procedure shall be held adopted only if no objection in writing be made to the Dean within ten days after the date of circularization; if objection be made within this period, the Dean shall submit the proposed legislation to the College of Arts and Sciences at its next meeting, and the secretary shall record in the minutes the legislation enacted by the circularization—no protest procedure and the protests against legislation proposed for enactment by the procedure.

d. *Order of business.*—The order of business shall be the same as that of the General Faculty except that the following sections shall be substituted for the sections with similar numbers in the order of business of the General Faculty: (6) Reports: (a) Departments, (b) Standing Committees, (c) Special Committees; (7) New Business: (a) Matters presented by the Dean: (1) Legislation adopted by

circularization, (2) Other matters, (b) Matters presented by chairmen of departments, (c) Matters presented by other members.

e. *Committees.*—In May, the Dean shall appoint the following committees to serve the succeeding Long Session: Bible and Religious Courses, Degrees and Courses, and Foreign Language Requirements.

The Dean shall be *ex officio* a member of all of the committees, standing and special, and shall fill all vacancies that may occur. He shall be chairman of the Committee on Degrees and Courses.

Sec. 14. **Rules of Order of Other College and School Faculties.**—The rules of order of the General Faculty and of the Faculty of the College of Arts and Sciences shall be the rules of the other College and School Faculties as far as applicable.

CHAPTER IV

DEPARTMENT FACULTIES OF INSTRUCTION AND RESEARCH

Section 1. **Departments.**—The various Colleges and Schools may be subdivided into departments of instruction and research by the Board of Regents, to be concerned primarily with subdivisions only of the whole field of knowledge.

Sec. 2. **Departmental staff.**—The staff of a department shall consist of all persons appointed to carry on the work of instruction and research in the field of the department, including correspondence and Extension Center teaching for degree credit.

Sec. 3. **Membership of a departmental faculty.**—All full-time members of the staff of a department who hold the rank of instructor or above shall be members of the faculty of the department, with vote, exception being made of instructors who have served for less than one Long Session. Part-time teachers of the rank of instructor or above who have served for at least one long session may be given the right to vote in departmental faculty meeting by affirmative action of that faculty with the approval of the undergraduate dean concerned. Each voting member, of whatever rank, shall be entitled to one vote. A member of the staff on part time in each of two departments shall be a member of the faculty of each department. A part-time member of a bureau staff teaching in a department shall also be a part-time member of the faculty of that department. Persons offering part-time instruction in courses listed in the course offerings of a department, whose regular work, salary, and title are in another department or subdivision of the University, shall be designated as part-time members of the faculty of the department in which such part-time instruction is offered, with or without vote, the addition of title, or the change of status.

Other persons may be appointed as part-time members of a departmental faculty, with or without vote.

Sec. 4. **Authority of a departmental faculty.**—Departmental faculties are subject to the actions of the School or College faculties

of which they are a part in the fixing of aims, courses, curricula, degree requirements, etc. Requests from the Faculty of a College or School or Division or Bureau for services from a department outside the requesting College or School or Division or Bureau shall be transmitted by its administrative head through the undergraduate Dean of the department to the department for consideration by the department at the regular times. If, after discussion, the department and the undergraduate Dean and the administrative head making the request cannot reach an agreement, all the relevant facts and opinions shall be transmitted to the President for adjudication or transmittal to the Administrative Council, the General Faculty, or the Board of Regents.

Sec. 5. **Certain duties of a departmental faculty.**—It shall be a duty of the departmental faculty to make annually or upon special occasions for the Long Session through its undergraduate Dean (and also through the Graduate Dean when the Graduate School is affected) to the President, unless otherwise provided, such specific and itemized recommendations as may be deemed wise concerning (a) the courses, with specified contents and prerequisites, to be offered during the next Long or Summer Session or for credit through the Division of Extension; (b) appointments of tutors and assistants; (c) all Catalogue material relating to the department; (d) assignment of courses (other than theses and dissertations) and sections of resident instruction, assignment of correspondence and Extension Center teaching, and assignment of extra-departmental duties, either intra- or extra-mural in character, to individual members of the departmental staff; (e) maintenance and equipment, rooms and schedules; (f) requests for the services of the department coming from the Schools and Colleges and other subdivisions of the University; (g) the use of research funds allocated to a department; (h) such other matters as may affect the welfare of the department other than matters within the jurisdiction of the budget council of the department, bearing in mind (1) the requirements for the various degrees, (2) the avoidance of overlapping courses in the department or between departments, (3) the avoidance of too many or too few courses in the department, (4) an equitable and mutually agreeable distribution of courses, sections, and the working loads among the members of the staff, (5) the needs of the Graduate School, of the Extension Teaching Bureau of the Division of Extension, and of the undergraduate Schools and Colleges dependent upon the services of the department, and (6) the desirability of an arrangement in which neither efficiency nor economy is unduly sacrificed. Recommendations involving increases in the existing budget should be listed in the order of preference. It shall also be the duty of a departmental faculty to make annually on October 15 a report to the President and the appropriate Dean on the work of the department during the

previous fiscal year. Reports should be made separately from recommendations or requests, reports dealing with the past, recommendations with the future. (Cf. Section 2 of Chapter II.)

Departmental reports.—(a) Annual departmental reports: (1) Unabridged reports, as lengthy as the department may determine, may be sent through the undergraduate Deans to the President for study and ultimate filing in the archives. (2) Abridged reports shall be as synoptic as possible and shall be sent through the undergraduate Deans to the President for printing. Abridged departmental reports should contain (a) honors conferred on staff; (b) honors conferred on, and important positions filled by, recent graduates who majored in the department; (c) miscellaneous—use of Library, etc., distinguished visitors, extramural activities, etc., etc.; (d) annual bibliography of staff and theses of “major” students. Abridged departmental reports should not contain material printed or recorded elsewhere, such as (a) list of staff, Long or Summer Session; (b) list of courses offered; (c) enrollments in courses and sections and teachers thereof; (d) number of B.A., M.A., and Ph.D. “majors” in June and August; (e) facilities for study; (f) expenditures (actual). (b) Special departmental reports shall be made as occasion may require. (See last paragraph under Section 6, following.)

Sec. 6. Departmental Budget Council at the Main University and Departmental Head at the Medical Branch.—All the full professors in a department conjointly, or all the associate professors conjointly in case there is no full professor, shall constitute the Budget Council of the department, each member being entitled to one vote, there being no seniority. No person on modified service because of age shall be a member of a budget council. In a department without full or associate professors, the Chairman of the department shall constitute the Budget Council. At the Medical Branch the departmental budget council shall consist of all professors and associate professors in the department. At the Medical Branch the Head of a department is ordinarily the ranking full professor in the department.

It shall be the duty of the Budget Council to make annually and upon special occasions, through the undergraduate Dean (and also through the Graduate Dean when the Graduate School is affected) to the President for the Regents, in the case of the Long Session, such recommendations as may be deemed wise concerning (a) appointments to departmental positions with the rank of instructor or higher; (b) promotions in salary or rank of those members of the departmental staff who are not also members of the Budget Council; (c) membership in the Graduate Faculty; (d) assignment of thesis and dissertation courses to individual members of the departmental staff; and (e) amounts required for tutors and assistants and for maintenance and equipment during the coming fiscal year. Recommendations which relate to persons who are to do whole or part-time

Extension Center or correspondence teaching, accompanied or unaccompanied by resident teaching, shall be made jointly by the departmental Budget Council of the department concerned and the Director of the Extension Teaching Bureau to the Deans concerned (See Section 5, Chapter V). Recommendations concerning rank, tenure, salary, and other matters, shall be specific. Members of the Budget Council shall have the right to make individual or group recommendations through the appropriate Deans to the President concerning the salaries of other members of the Budget Council. Actions of the Budget Council shall be taken only at meetings duly called and held, and shall be signed by all the members, approving or disapproving. In the case of the Summer Session, there are appointments only, tenure not extending beyond the Session, and no promotions, a teacher remaining at the rank held during the previous Long Session if a member of the General Faculty. Recommendations for the Summer Session are to be made through the appropriate Deans to the President, and the Budget Council, subject to the approximate proportions by rank of the Long Session staff, may include members of the Budget Council itself in its recommendations.

It shall also be the duty of the Budget Council, in each even-numbered year, following a notice from the President, to make budgetary recommendations concerning the requests for appropriations that are to be made of the next Legislature by the Regents for the support of the department during the coming biennium.

(See also Chapter I, Section 9.)

When desirable, a Budget Council may select from its membership a Chairman to preside over its meetings and a Secretary to record and transmit its recommendations. Carbon copies of the recommendations of a Budget Council shall be sent to all Deans administering degrees affected by the recommendations.

Departmental and Budget Council recommendations.—(a) Annual departmental recommendations: (1) Budgetary recommendations shall ordinarily be made following a request from the President. In non-legislative years the request will be made about February 1, while in legislative years the date will vary. (2) Recommendations of courses to be offered in the next ensuing Announcement of Courses or General Catalogue or Summer Session Catalogue shall be sent to the appropriate Deans at dates fixed by the Administrative Publications Committee. (b) Special departmental recommendations shall be made as occasion may require.

(See last paragraph of Section 3, Chapter I.)

Sec. 7. Chairman of the departmental faculty.—A member of the faculty of a department shall be appointed as Chairman thereof by the Regents, upon nomination of the President, after consultation with the appropriate Dean, to serve for the two years of a legislative biennium. In case of absence or disability during the biennium, the Chairman shall notify the President, who shall appoint an Acting or

Vice Chairman to serve in his place. The Chairman shall preside at the meetings of the departmental faculty; have minutes kept of the proceedings; promptly transmit the reports and recommendations of the departmental faculty through the appropriate Deans to the President; transmit to the Registrar departmental recommendations and requests regarding rooms and schedules; transmit to the Comptroller departmental recommendations and requests regarding repairs and alterations; transmit to the Publications Office departmental Catalogue and other copy; transmit to the Auditor on forms provided by that officer the requisitions involved in the expenditures of the maintenance and equipment item in the departmental budget; and in general shall serve as the routine officer and secretary of the departmental faculty. At the Medical Branch the Head of the department shall also serve as Chairman.

In particular, the Chairman shall (a) keep and pass on to his successor an inventory book or file containing a list in detail of all apparatus and other property belonging to the department; (b) shall present to the Comptroller of the University not later than the first day of July of each year a complete inventory of all apparatus and other property belonging to the department, together with a statement of the condition thereof; and (c) shall act for the department in emergencies.

Sec. 8. Meetings of a departmental faculty.—The faculty of a department, unless it consists of one person only, shall hold meetings at least once each semester, and may meet at other times at the call of the Chairman or on the written request of one-third of its members. The reports and recommendations of the department, ways of improving teaching, research, and the regulations of the University and their observance are among the subjects of discussion at meetings. The minutes of the meetings shall be sent by the Chairman to the members and to the Deans concerned and to the President. Actions of departmental faculties on the courses to be offered and other departmental matters within their jurisdiction shall be taken only at meetings duly called and held.

Sec. 9. Dates for making reports and recommendations of departmental faculties and Budget Councils.—Departmental budgetary recommendations, including those relating to appointments and promotions made by the Budget Council of the department, shall be called for at convenient times by the President to be sent to him through the appropriate Deans. Recommendations of all the courses to be listed in the next ensuing Announcement of Courses or General Catalogue or Summer Session Catalogue shall be sent to the appropriate Dean at dates fixed by the Administrative Publications Committee.

Sec. 10. Recommendations of courses of small registration.—It shall be the duty of the departmental faculty to consider especially the recommendation of courses in which the registration has been or

is likely to be small. Such courses are often too expensive or time-consuming and may not be announced or given until there has been a careful consideration of the need of such a course and the course has been specially approved for the coming Long or Summer Session by the department, the Dean or Deans concerned, and the President.

CHAPTER V

DIVISIONS AND BUREAUS

Section 1. Divisions and Bureaus.—Educational, informational, and research activities of the University other than resident teaching may be organized by the Board of Regents into separate subdivisions called Bureaus, two or more of which may be more or less loosely grouped into larger units called Divisions.

The Division of Extension shall have a Dean as its chief administrative officer and shall include the Bureaus of (a) Extension Teaching, (b) Industrial Teacher-Training, (c) Package Loan Library, (d) Health Education, (e) Public School Service, and (f) Visual Instruction.

The Division of Natural Resources shall include the Bureaus of Economic Geology, Engineering Research, and Industrial Chemistry.

The Division of Social Science and Business Research shall be divided into the Bureaus of Social Science Research and Business Research.

Sec. 2. Directors and Bureau staffs.—The administrative head of a Bureau shall be called a Director, and the other members of a Bureau staff shall be given specific and appropriate descriptive titles. Titles conferred upon members of the staffs of instruction and research may also be conferred upon members of Bureau staffs with or without tenure and voting privileges in department or School or College or General Faculties. (See Section 3, Chapter I, Section 4, Chapter III, and Section 3, Chapter IV.) Members of the staff of the Bureau of Extension Teaching who conduct classes carrying degree credit are *ipso facto* members of the appropriate departmental staffs. Directors shall be appointed to serve for the two years of a legislative biennium, upon the recommendation of the President acting after consultation with the Dean of the Division, if there be such a dean.

Sec. 3. Bureau councils.—When the work of a Bureau has close relations with the field of a department or School or College, there may be created a Bureau Council, advisory to the Director of the Bureau, composed of members selected from the faculties of the related departments and the Deans of the related Colleges or Schools. The Director shall be chairman of the Bureau Council without vote.

Sec. 4. Bureau recommendations.—After getting advice from the staff of the Bureau and from the Bureau Council, the Director

thereof shall make to the President such budgetary and other recommendations concerning the Bureau as he may deem wise.

If the Bureau be part of a Division that has a Dean, the recommendations of the Director shall go through the Dean to the President, accompanied by such recommendations as the Dean may deem wise.

Bureau reports, budgets, and recommendations shall be kept entirely distinct from those of their cognate departments, Schools, or Colleges, but shall ordinarily be called for and sent in on the dates fixed for the departments of instruction reports.

Sec. 5. Bureau of Extension Teaching.—The function of the Bureau of Extension Teaching shall be to extend the teaching of the University to non-resident students, in so far as resources and circumstances may permit, through instruction by mail ("correspondence") or visiting instructor ("Extension Center").

Credit courses offered by correspondence or at Extension Centers and the instructors of these courses must be approved by the Director of Extension Teaching and by the Budget Council of the department concerned, and recommended by the Deans concerned through the President to the Board of Regents. In case of disagreement, such disagreement shall be presented to the President for decision. Because of the lack of class-room association, contact between instructor and student is secured through the personal reading by the instructor of all the reports and papers sent in by the student.

Extension Centers shall be established by the Board of Regents upon recommendation of the Dean of the Division of Extension and of the President.

A correspondence or Extension Center course carrying degree credit when successfully completed shall have the identical prerequisites and as nearly as possible the same content as the same course offered to resident students (if offered) and shall count towards degrees in accordance with the provisions of the General Catalogue.

Correspondence and Extension Center courses not carrying degree credit but meeting the needs of adults beyond the high-school age may be approved by the Board of Regents, usually upon the recommendation of the Director of the Bureau of Extension Teaching, the Dean of the Division of Extension, and the President.

CHAPTER VI

COUNCILS AND COMMITTEES

Section 1. Membership and appointment.—University councils and committees ordinarily are composed exclusively of members of the staff, but in certain cases students, ex-students, and other citizens are also members.

At the Main University, membership is ordinarily appointive but sometimes *ex officio*. Unless otherwise provided, councils and committees shall be appointed in May, or earlier, for the next fiscal year

or Long Session or Summer Session; i.e., to serve for twelve, nine, or three months, respectively, (a) by the appropriate Dean, in the case of a School or College Faculty, or (b) by the President in all other cases. (Cf. Chapter III, Section 9.)

At the Medical Branch, the members of standing committees shall be appointed annually by the President on recommendation of a Faculty nominating committee and after consultation with the Dean of the Medical Branch.

Sec. 2. General duties.—The general duties of the councils and committees of the School or College Faculties, of the General Faculty, and of the various Bureaus and subdivisions of the University shall consist of (a) attending to or (b) examining into some part or aspect of University life and work. From these two primary duties grow two secondary duties; (c) reporting to the Faculty, President, and Regents on the past work attended to or examined into, and (d) recommending to the Faculty, President, and Regents concerning how the work attended to or examined into may be done better in the future, or how new work may be advantageously undertaken or old work discontinued.

Each standing committee shall make an annual report which shall be due November 1.

Except in extraordinary cases, special committees will not be appointed to perform duties that have been assigned to standing committees.

Sec. 3. The Administrative Council of the Main University.—The Administrative Council shall consist, *ex officio*, of the Deans of the College of Arts and Sciences, College of Engineering, School of Business Administration, School of Education, School of Law, College of Fine Arts, College of Pharmacy, Medical Branch, Graduate School, and Division of Extension, together with the Dean of Student Life, the Vice-President of the University, the Comptroller, the Registrar, the Librarian and two non-administrative professorial members of the staff, to be appointed by the President. The President shall be Chairman and the Registrar shall be Secretary *ex officio*.

The Secretary shall furnish regularly copies of the minutes to each member of the Administrative Council.

a. The Administrative Council shall serve as the Executive Committee of the General Faculty, and in this capacity shall take such minor recess actions as may be desirable between General Faculty meetings, reporting such actions for approval, disapproval, or modification by the General Faculty at its next subsequent meeting. Major recess actions may be taken by the Administrative Council, acting as the Executive Committee of the General Faculty, if the subsequent approval of the General Faculty may be confidently expected.

b. The Administrative Council shall act as an advisory committee to the President, assisting him in attending to, or examining

into, the various aspects of Main University life and work, and advising him in matters relating to the best interests, usefulness, development, and policies of the Main University.

c. The Administrative Council shall act in its own capacity by meeting at least three times per month (1) to consider current routine items relating to Main University life and study, (2) to consider desirable adjustments and correlations of Main University activities, and (3) to consider the better enforcement or desirable amendment of Main University regulations through faculty or other appropriate action.

Sec. 4. The Faculty and Admissions Committee of the Medical Branch.—The Faculty and Admissions Committee of the Medical Branch shall function in much the same way as the Administrative Council does at the Main University. The six faculty members of the Faculty and Admissions Committee shall be appointed annually by the President from a panel of twelve submitted to him by the Faculty of the Medical Branch. If the President does not appoint all the members from the first panel, the Faculty shall submit to him additional panels consisting of two members of the Faculty for each unfilled position on the Committee. The term of office of members of the Committee shall be two years and they shall not succeed themselves. Three members of the Committee shall be selected each year. Of the first Committee, three shall serve for a term of one year and three for a term of two years. Three members shall be selected from the clinical group of professors and three members shall be selected from the pre-clinical group of professors. These six selected, with the Dean of the Medical Branch as Chairman with a vote and the Director of the John Sealy College of Nursing, *ex officio*, shall constitute the Faculty and Admissions Committee. The members of the Faculty and Admissions Committee shall be of professorial rank, preferably heads of organized departments in the School of Medicine. The Business Officer of the Medical Branch shall act as the Secretary to the Faculty and Admissions Committee but shall not be a member of the Committee. It shall be the duty of the Faculty and Admissions Committee:

a. To act as an advisory committee to the Dean, assisting him in attending to, or examining into, the various aspects of the Medical Branch life and work, and advising him in matters relating to the best interests, usefulness, development, and policies of the Medical Branch.

b. To advise with the Dean upon all nominations for faculty positions in any given department of the Medical Branch. These nominations shall be made in writing by the Head of the department and transmitted to the Dean of the Medical Branch, who in turn shall present such nominations to the Faculty and Admissions Committee

for recommendation. The Dean shall then transmit the signed recommendation of the Faculty and Admissions Committee to the President. In the event that the Dean does not concur with any recommendation of the Faculty and Admissions Committee, he may submit to the President another recommendation, stating his reasons therefor in writing.

c. To act as advisory committee to the Dean in all budgetary matters;

d. To receive all recommendations from the Student Honor Council through the office of the Dean of the Medical Branch;

e. To make recommendations approving, disapproving, or altering the action of the Student Honor Council in any given case of discipline, and it shall be the duty of the Dean of the Medical Branch to carry out and enforce the final action of the Faculty and Admissions Committee;

f. To act for the Medical Faculty in emergencies between meetings of the Medical Faculty, reporting such action to the Faculty at its next regular meeting;

g. To act as the Committee on Admissions;

h. To act as a standing committee of the Medical Faculty on matters not specifically placed in the charge of the other standing committees of the Medical Faculty;

i. To recommend to the President candidates for the rank of Professor and Professor and Head of the Department in the manner prescribed hereinunder. The Faculty and Admissions Committee shall consider any recommendation to the rank of Professor and Professor and Head of the Department coming from (a) the Head of the Department concerned, (b) a majority vote of the departmental faculty, (c) the heads of two or more related departments. The Faculty and Admissions Committee shall inform the members of the department concerned of their intended recommendation stating the name of the candidate and his proposed rank. In event that a majority of the departmental faculty object to the proposed recommendation the Faculty and Admissions Committee shall ordinarily defer to the wishes of the department but may elect to forward their recommendation to the President with the objection of the departmental faculty attached.

Sec. 5. John Sealy College of Nursing Committee.—It shall be the duty of the John Sealy College of Nursing Committee to submit to the Faculty and Admissions Committee of the Medical Branch nominations for positions on the staff of the John Sealy College of Nursing. This Committee shall be composed of three elected members of the Medical Faculty, the Director of the John Sealy College of Nursing, and the Dean of the Medical Branch.

Sec. 6. Library Committees, Main University and Medical Branch (annual).—It shall be the duty of the Main University Library Committee to be informed regarding the work and growth of the Library.

It shall consult with and be consulted by the Librarian and shall be an interpreter of the Library and its policies to the Faculty and an interpreter of Faculty opinion to the Librarian. The chairman and the vice-chairman shall consult with and be consulted by the Main University Library Committee of the Board of Regents. The Medical Branch Library Committee shall have the same duties as the Main University Library Committee, with regard to the Medical Branch Library and Faculty.

Sec. 7. **Publications Committee** (annual).—It shall be the duty of this Committee to make recommendations concerning the style, dimensions, numbering scheme, directions for preparing manuscript for the printer, copyrighting, etc., of all University publications printed by the University Press. This Committee shall be composed of the Chairman of the Administrative Publications Committee, who shall be Chairman *ex officio*, the Chairman of the General Publications Committee, the Manager of the University Press, the Librarian, one person selected from each of the two Committees just mentioned, and one member of the Faculty of the Medical Branch. When the publications of a Bureau are under consideration, the Director of the Bureau shall be a member of the Committee.

The following regulations shall be enforced by the Publications Committee: (a) The imprint, "The University of Texas Bulletin," or "Published by The University of Texas," or the seal of the University may be used only as authorized by the Publications Committee. (b) The folio of University bulletins, together with the make-up of the cover and title pages, shall be fixed by the Publications Committee. (c) The University Press shall not receive for publication any copy or manuscript without the approval of the chairman of the Publications Committee, who shall check it for conformity to general rules and policies, educational and budgetary. (d) No administrative publication may be printed without the authorization of the Registrar; no general or scholarly publication may be printed without the approval of the Committee on General Publications, and no publications from a Bureau or Division without the authority of the official head. (e) All publications shall be distributed through the Registrar's Office, unless otherwise specifically provided. At present the Extension Division, the Bureau of Business Research, the Bureau of Engineering Research, the Bureau of Public School Interests, and the Bureau of Economic Geology distribute their own bulletins. The Registrar shall keep a faithful and accurate account of all monies received for publications sold through his office and shall deposit such monies with the Auditor. He shall make an annual report to the President, and so also shall each Bureau or Division distributing its own publications. (f) Material printed by the University may be copyrighted only in the name of the Board of Regents of The University of Texas. (g) Manuscripts submitted for publication shall be typewritten and shall be presented in their final form, both as to text and illustrations. The

original must be submitted; a carbon copy will not receive consideration. (h) All manuscripts must be carefully prepared in advance. The Registrar's Office shall not accept or approve any manuscript until it is in proper shape for the printer. (i) An author should usually have a conference with the Manager of the Press before a job is begun and should give a clear explanation of what is desired. Extensive changes in proof may not be made, except at the expense of the author. Reasonable changes, but not radical alterations, may be made in the galley proof. No material changes may be made in page proof. Authors shall have their attention called to this rule at the time they are notified of the acceptance of their papers. (j) Authors shall be entitled to receive ten (10) copies of a charge bulletin or unbound book, and five (5) copies of a bound book, gratis, and they may have additional copies at cost. In addition, as many reprints as are desired may be had at cost of paper and press work, provided application is made in advance of publication. (k) As a general guide for style of printing the *Manual of Style* (1925, revised, 1932) issued by The University of Texas Press shall be used. For questions not covered by this volume the latest edition of *The Manual of Style* issued by The University of Chicago Press shall be the guide. (l) The University Library shall preserve a copy of every bulletin and book printed as a University publication. (m) The Registrar shall set up a reserve of twenty-five (25) copies of each and every University publication for emergency calls and shall not reduce it below five (5) copies. In addition, for exchange with institutions, libraries, journals, and publishers, whose publications are sent to the University Library, he shall reserve five hundred (500) copies of each free bulletin and three hundred (300) copies of each bulletin carrying a charge.

Sec. 8. **Administrative Publications Committee** (annual).—It shall be the duty of the Administrative Publications Committee to make recommendations and propose regulations concerning the administrative publications of the University. Administrative publications include Catalogues of the Long Session and the Summer Session, *Final Announcement of Courses*, annual *Directory of Faculty and Students*, annual *Report of the Auditor*, annual *Report of the Registrar*, annual *Report of Grades*, annual *Financial Report of the Intercollegiate Athletic Council*, *Biennial Report of the Board of Regents*, and *Rules and Regulations of the Board of Regents*. The Registrar shall be Chairman *ex officio* of the Administrative Publications Committee and, under the regulations, shall edit and supervise the preparation of all administrative bulletins except the *Regents Biennial Report* and the *Rules and Regulations of the Board of Regents*, which shall be handled in the President's Office, and the annual *Report of the Auditor*, which shall be made up and proof-read by the Auditor. The Registrar shall also exercise editorial supervision over all other publications of the University or any of its

subdivisions that include statements of University policy, announcements of courses, or other matter about the University intended for the information of students or of the public.

Sec. 9. General Publications Committee (annual).—It shall be the duty of the General Publications Committee to select for publication, with the appropriation available to the Committee, the most original, worthy, or useful material submitted for publication through the University Press by members of the University staff or by advanced students of the University. Usually such publications shall consist of books or bulletins not originating with any Bureau staff, and the contents shall (a) exhibit the results of competent research and investigation, or shall (b) contain information either useful or interesting or important. The Registrar, or a member of his staff designated by him, shall serve as Secretary of the Committee and shall see to the execution of all applicable rules and policies. Each author shall be responsible for the proof reading and for the specific contents of his book or bulletin. Some of the General Publications are serial, some individual, some books, some bulletins.

The books and bulletins of the service and research Bureaus and Divisions of the University printed by the University Press shall be made up, proof-read, and paid for by the Bureau or Division issuing them. Each manuscript, before being sent to the printer, shall be submitted to the Registrar's Office to receive a number and a title page and to be checked with regard to general policies and regulations. The author or Bureau or Division concerned is responsible for the proof reading and specific contents of the book or bulletin. Each Bureau or Division shall make recommendations concerning all matters connected with the distribution of its publications. The Bureaus and Divisions now issuing publications are: The Division of Extension, Bureau of Economic Geology, Bureau of Engineering Research, Bureau of Industrial Chemistry, Bureau of Business Research, Bureau of Research in the Social Sciences.

Sec. 10. Public Information Committee (annual).—It shall be the duty of the Public Information Committee, in consultation with the Public Relations Committee of the Board of Regents and in cooperation with the President, to assist all the agencies that are seeking to promote a reasonably sympathetic yet critical and accurate public knowledge of the University in all of its details. The source of this knowledge is the University itself; the agents for transmitting this knowledge to the public are the staff, the ex-students, the students, public officials, newspapermen, and many interested citizens; the means of transmitting this knowledge are printing, broadcasting, public speaking, writing, and personal conversation. Specifically organized agencies which may be used in transmitting this knowledge are the public press, the Public Relations Office of the University, the Ex-Students' Association,

the Students' Association, the Dads and Mothers Association, and the Office of Publications of the University. Associated with this Committee shall be various sub-committees concerned with particular agencies, members of the sub-committees not necessarily being members of the Committee itself.

Sec. 11. Admission Requirements Committee (Main, annual).—It shall be the duty of the Admission Requirements Committee, of which the Registrar shall be Chairman *ex officio*, to give special attention to the subject of college entrance requirements, to keep informed concerning progress and practices in the country, and, from time to time, to make such recommendations to the General Faculty concerning requirements for admission to the Colleges and Schools of the Main University, or any one of them, as may be necessary, in the judgment of the Committee, to keep the University sufficiently in accord with the practices of other institutions similar in kind and rank and to enable the University best to serve the State of Texas in this respect.

Sec. 12. Admission from Other Colleges Committee (Main, annual).—The Registrar shall be Chairman *ex officio* of the Committee on Admission from Other Colleges. It shall be the duty of this Committee to advise and to assist the Registrar in cases submitted by him, involving usually the recognition to be given a particular institution outside Texas. It shall be the further duty of this Committee to keep in helpful cooperation with the Association of Texas Colleges, of which Association the University is a member and in which it participates in fixing standards and in rating the institutions in Texas. The Committee shall make an annual report to the General Faculty dealing with general and institutional ratings and standards.

Sec. 13. Accredited Schools Committee (annual).—The Chairman of the Accredited Schools Committee shall serve as The University of Texas member on the "Committee on Inspection, Classification, and Affiliation of High Schools in Texas" in accordance with the agreement entered into on February 8, 1917, between the State Department of Education, the State Institutions of Higher Education, the Senior Independent Colleges, the Junior Independent Colleges, the High Schools, and the City Schools. It is the duty of this State Committee, of which the State Superintendent of Public Instruction is Chairman, to meet once a year at the call of its Chairman, and, as specified in the 1917 agreement, Sec. 3, "to adopt standards of and provide rules for the inspection, classification and affiliation of high schools for the purpose of correlating them with the institutions of higher education in the State, and to establish a basis whereby the largest degree of cooperation may be realized between and among the State's institutions of higher learning and other similar institutions consistent with the performance of their individual functions."

Other sections of the agreement provide that "the work of inspection, classification, and affiliation shall be under the direction

of the State Department of Education . . . the classification assigned any high school by the State Department of Education for affiliation shall be binding upon each institution represented in this Committee, it being understood that present standards of classification of high schools shall be maintained and raised from time to time as may be wise, and that to each institution is reserved the right to determine its own admission requirements . . . it shall be the duty of each institution represented in this Committee to file with the Chairman of the Committee, prior to January 1 of each year, its entrance requirements for the following scholastic year and the entrance requirements of any such institution shall not be changed or modified during the year for which they were adopted."

It shall be the further duty of the Chairman of the Accredited Schools Committee to keep the General Faculty, President, and Regents informed of the important actions of the State Committee on Inspection, Classification, and Affiliation of High Schools in Texas by reporting such actions for record in the Minutes of the General Faculty.

Sec. 14. Building Committee (Main, annual).—The Building Committee of the General Faculty shall be composed of three members of the Faculty. The Comptroller shall meet with the Committee. After the erection of a particular building has been approved by the Board of Regents, a member of the staff that is to occupy the building shall be appointed as a member of the Committee so far as the particular building is concerned.

It shall be the duty of this Committee: (a) to hold necessary hearings and to make proper investigations regarding the building needs of the University and to report its conclusions to the Comptroller; (b) to recommend the order and the location of specific buildings, with reasons for these recommendations; (c) after the approval of the Board of Regents of the construction of a given building, to send to the Comptroller, for transmission to the University Architects, such suggestions as to the style, size, purpose, location, and general nature of the building as will enable the University Architects to prepare preliminary sketches and tentative plans. When the University Architects have prepared plans in sufficient detail for study and criticism by the Committee, they shall transmit them to the Comptroller for presentation to the Committee. After careful consideration, the Committee shall return the plans, with their criticisms and suggestions, to the Comptroller for transmission to the Architects. This process shall be repeated until the plans and specifications have been brought to such a state of completeness that, in the judgment of the Committee, they are ready to present to the Board of Regents for approval. (d) To make its reports and recommendations to the Comptroller. He shall transmit these, with his own comments and recommendations, to the President. When requested by

the President or the Board of Regents, the Faculty Building Committee shall report directly to the Board.

A record shall be kept of the dates of all communications between the Committee, the Comptroller, and the University Architects.

After the plans for a particular building have been approved by the Board of Regents and the Comptroller has been directed to advertise for bids, the Faculty Building Committee shall be relieved of further responsibility for this particular building but may be consulted further by the Comptroller, the University Architects, the President, or the Regents when circumstances render it desirable.

At the Medical Branch, the Faculty and Admissions Committee shall also serve as the Building Committee of the Medical Branch.

Sec. 15. Schedule Committee (Main, annual).—It shall be the duty of the Schedule Committee, subject to such specific assignments as the Board of Regents may from time to time approve, to advise with the Registrar with reference to the scheduling of all office space and all class or laboratory space, indoors and out, during class hours, the Comptroller having jurisdiction over this space at other hours. In performing this duty, the Committee shall strive to avoid, as far as possible, vacant or partly filled class spaces and, in its annual report, shall compare, at least approximately, the actual use of class and laboratory space with an ideal maximum.

Sec. 16. Rules Committee (Main, annual).—It shall be the duty of the Rules Committee to study all proposed changes in and additions to the Rules of Order of the General Faculty and to submit to the General Faculty definite recommendations for their adoption, amendment, or rejection. The Secretary of the General Faculty shall be a member of this Committee.

Sec. 17. Diploma Committee (Main, annual).—The Registrar shall be Chairman *ex officio* of the Diploma Committee. It shall be the duty of this Committee to advise the Registrar with respect to all such matters as the form, style, shape, size, material, and quality of diplomas; the process of producing them, whether by engraving, lithographing, or otherwise; the making of contracts for purchasing and lettering diplomas, and related matters.

Sec. 18. Commencement Committee (Main, annual).—It shall be the duty of the Commencement Committee, cooperating with the Comptroller, regular Deans, and President, to attend to the details connected with the June and August graduation ceremonies. In particular, the Committee shall select speakers and prepare the programs, except for the graduation and honor lists furnished by the Deans and President, and shall provide adequate seating and ushering for the graduates, faculty, and guests.

Sec. 19.—Students' Use of English Committees (Main, Long Session, Summer Session).—Candidates for some of the various bachelor's degrees are required before graduation "to show such an ability to write clear and correct English as to satisfy the Committee on

Students' Use of English." It shall be the duty of these Committees to enforce this requirement by inspecting the written work of such candidates in any of their courses and by requiring such additional work for those candidates found deficient as they may deem appropriate. It shall also be the duty of these Committees officially to report to the Registrar and to the appropriate Dean, at the official times, the success or failure of each candidate subject to the jurisdiction of the Committees.

Sec. 20. Public Lectures and Entertainments Committees (Main, Long Session, Summer Session).—It shall be the duty of the Public Lectures and Entertainments Committees to promote, for the benefit of the student body and University community generally, free public lectures on appropriate topics by approved persons. In performing this duty the Committees shall cooperate with and assist the various subdivisions of the University in their efforts to procure special lecturers and shall strive to secure members of the Faculty to give public lectures. When funds are available, distinguished lecturers, mostly from other faculties, shall be selected by the Committees.

Sec. 21. Attendance upon Professional Meetings Committee (Main, annual).—It shall be the duty of the Attendance upon Professional Meetings Committee to apportion such money as the Regents may from time to time appropriate for the purpose of paying, at least in part, the expenses that are involved in the attendance of various members of the Faculty upon professional meetings of national importance.

The amount paid by the University for any single trip shall not exceed the lowest available round trip net rate for railway and pullman transportation, nor shall it exceed in any case the sum of one hundred and twenty-five dollars (\$125). Although this money is primarily for the benefit of members of the staff who are to read papers containing new and valuable results at technical meetings, members who are serving as general officers or executives of national associations of high rank may also share in this travel fund.

Sec. 22. Patriotic Celebrations Committees (Main, Long Session, Summer Session).—It shall be the duty of the Patriotic Celebrations Committees to promote the University celebration of patriotic anniversaries and memorials in ways that will deepen the student's understanding of their meaning.

Sec. 23. Teachers Appointment Committee (Main, annual).—It shall be the duty of the Teachers Appointment Committee to assist students and ex-students of the University to secure teaching and school administrative positions by putting them in touch with, and furnishing confidential recommendations to, school officials seeking teachers and school administrators.

Sec. 24. Rhodes Scholarships Committee (Main, annual).—It shall be the duty of the Rhodes Scholarships Committee to attend to such matters as the Trustees of the Rhodes Foundation may place within

the jurisdiction of the individual institutions whose students are eligible to be Rhodes Scholars.

Sec. 25. Campus Financial Drives Committee (Main, annual).—It shall be the duty of the Committee on Campus Financial Drives, assisted by the Comptroller, to prevent individuals, groups, or organizations from soliciting funds or business on the Campus from students or staff without having previously secured the approval of the Board of Regents or of the Committee. Commercial solicitation will not be authorized. This Committee shall report annually to the General Faculty.

Sec. 26. Student Life Committee (Main, annual).—It shall be the duty of the Student Life Committee to study the conditions and problems of Student Life and to make recommendations intended to better the general life and work of the University. The Dean of Student Life shall be Chairman of this Committee, and the Dean of Women, the Dean of the College of Arts and Sciences, the Comptroller, and the President of the Students' Association shall be members *ex officio*, together with four appointive members, one from the Faculty and three from the student body.

Sec. 27. Student Living Accommodations Committee (Main, annual).—It shall be the duty of the Student Living Accommodations Committee to supervise student living conditions and to act on all questions relating to rooming and boarding places for students. The Committee is empowered to enforce all University housing regulations and to adjudicate disagreements arising over their application. It is vested with disciplinary power. The Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 28. University Dormitories and Dining Halls Committee (Main, annual).—It shall be the duty of the University Dormitories and Dining Halls Committee to observe the operations of the dormitories and boarding halls maintained by the Main University and to confer with the Comptroller regarding such operations. This Committee shall consist of three persons, two selected from the staff of the Department of Home Economics.

Sec. 29. Sick Men Students Committees (Main, Long Session, Summer Session).—It shall be the duty of the Committees on Sick Men Students to attempt in every way possible to care for the needs—other than of a medical nature—of the students in the hospital. The duties of these Committees include visits to sick men students, arrangements for cuts, postponed examinations, quizzes, and other such aid as may be necessary during the absence of the student from class. Each Committee is also expected to assist its Chairman in the performance of any similar duty for which he may request its aid. Each Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 30. Sick Women Students Committees (Main, Long Session, Summer Session).—It shall be the duty of the Committees on Sick

Women Students to attempt in every way possible to care for the needs—other than those of a medical nature—of the students in the hospital. The duties of these Committees include visits to sick women students, arrangements for cuts, postponed examinations, quizzes, and other such aid as may be necessary during the absence of the student from class. Each Committee is also expected to assist its Chairman in the performance of any similar duty for which she may request its aid. Each Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 31. Religious Life Committees (Main, Long Session, Summer Session).—It shall be the duty of the Committees on Religious Life to study the religious needs of the students and to cooperate with all proper endeavors to meet these needs.

Sec. 32. Employment for Students Committee (Main, annual).—It shall be the duty of the Employment for Students Committee, as far as may be possible, to assist worthy students in need of employment to find jobs other than those paid for from University funds. The Committee, through its Chairman, shall make to the Dean of Student Life an annual report containing appropriate statistics and other relevant information.

Sec. 33. Discipline Committees (Main, Long Session, Summer Session).—The Faculty Committees on Discipline shall each consist of three members, and there shall be as many of these committees as may be found necessary. For each faculty committee concerned with discipline in any form there shall be appointed from the student body one man and one woman student with the privilege of sitting with that committee, without vote, in the actual trial of cases—the man student to be present when a man student is being tried, the woman student to be present when a woman student is being tried, and both at the trial of mixed groups. These student representatives shall be appointed by the Dean of Student Life upon nomination by the President of the Students' Association, the Dean having the right to veto any nomination—in which case the President of the Students' Association shall nominate another student. Failure of the President of the Students' Association to make nominations within a reasonable time after notice has been given by the Dean of Student Life shall not affect the validity of trials conducted in the meantime. The absence of a student representative, after due notice, shall not invalidate a trial.

The duties of the Committees on Discipline shall be as follows: (a) To try all cases involving breaches of discipline by students acting as individuals or as officers of student organizations, unless the alleged offense is specifically placed under the jurisdiction of some other University officer or Committee or is within the original jurisdiction of a Student Council of the Students' Association, and to assess proper penalties. The jurisdiction of the Faculty Committees on Discipline shall also be extended to all cases in which the original

jurisdiction lay with the Student Council if, after attention has been called to such cases by the Dean of Student Life, the Student Council fails or refuses to act within a reasonable time; but this provision is not to be construed as preventing the Committees on Discipline or the Student Council from considering matters on their own motion. (b) (1) To try cases appealed from a Student Council. A student concerned in a trial by a Student Council shall have the right to appeal to the Dean of Student Life for a new trial by a Faculty Committee on Discipline. Such appeal, except when new evidence is presented, must be made in writing by the student within ten days from the time he receives judgment from the Student Council. (2) To try *de novo* cases tried by a Student Council when the Dean of Student Life is unwilling to affirm the verdict of the Student Council or to refer the case back to the Council for reconsideration. (c) To try cases in which the Student Council has original jurisdiction when such cases are referred to them by a Student Council because the school year ends before the trial can be completed or because of other reasons. (d) To inquire into cases of misconduct of a student or a group of students referred to them by the Dean of Men or the Dean of Women. (e) To recommend to the Dean of Student Life and to the Faculty changes in rules or practices affecting discipline.

In addition to the disciplinary authority vested in certain standing committees by catalogue provision, such authority may be delegated by the Dean of Student Life or by the Discipline Committee to other regular or to special faculty committees.

All verdicts of Faculty Committees on Discipline shall be returned to the Dean of Student Life and the penalties imposed shall be administered by him. He may, in case of any additional evidence, return a case to the Committee trying it for further consideration, but, if reconsidered, the resulting decision of the Committee shall be final.

Sec. 34. Loans to Students Committee (Main, annual).—It shall be the duty of the Loans to Students Committee (a) to approve or disapprove applications for loans from loan funds not specifically under the control of some other agency, (b) to accept or reject endorsements on notes, and (c) to recommend the conditions under which loans from various loan funds shall be made when the conditions have not been finally fixed.

It shall be the duty of the Chairman of the Committee on Loans to Students, who may have an assistant, (a) to keep on file in the office of the Dean of Student Life the legal, testamentary, regental, and other conditions governing each loan fund under the Committee's charge, (b) to keep a complete and up-to-date record of all loans from these funds, (c) to cooperate with the Auditor in collecting the loans as they become due, (d) to keep the committee informed

regarding outstanding loans, available balances, and payments overdue, and (e) to attend to all other necessary clerical work of the Committee. It shall also be the duty of the Chairman, as far as may be possible, to secure from the administrators of other loan funds available to University students, a continually up-to-date record of the loans made from such funds extending to such administrators full use of the records of the Committee.

Applications for loans out of the Ex-Students' Memorial Loan Fund shall be made at the office of the Ex-Students' Association. Applications for loans out of all other loan funds administered by the Committee shall be made at the office of the Dean of Men in the case of men students, at the office of the Dean of Women in the case of women students.

Sec. 35. Student Government Committee (Main, annual).—It shall be the duty of the Student Government Committee to study the Constitution, Laws, and operations of, and to advise with the proper representatives of the Association concerning possible improvements of, the Students' Association.

Sec. 36. Student Social Organizations Committees, Main University and Medical Branch (Annual).—It shall be the duty of the Student Social Organizations Committees (a) to observe the working of the regulations of student social organizations; (b) to make such recommendations as it deems expedient and just regarding changes or additions to the regulations; (c) to approve or to disapprove the establishment of new clubs of social nature; (d) to try all cases involving violations of regulations affecting student social organizations; and (e) to safeguard the financial standing of student social organizations.

The committee at the Medical Branch shall consist of three members of the Medical Faculty appointed by the President on nomination of the Faculty and Admissions Committee and the Dean.

Sec. 37. Student Social Affairs Committee (Main, annual).—It shall be the duty of the Student Social Affairs Committee to administer the general social regulations, authorizing the places at which student social functions may be given. This Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 38. Student Publications Committee (Main, annual).—The Student Publications Committee shall consist of three members of the General Faculty appointed by the President of the University to serve on the Board of Directors of the Texas Student Publications, Incorporated, as provided in the charter of that organization. It shall be the duty of this Committee to assist in safeguarding the finances and the character of the student publications.

In appointing this Committee the President shall designate two members to constitute a Sub-Committee on Editorial Propriety. The members of this Sub-Committee shall serve with a student member of the Board of Directors, selected by that Board, on an Editorial

Advisory Committee for the student publications issued under the supervision of the Texas Student Publications, Incorporated.

This Editorial Advisory Committee is explicitly directed to exercise careful censorship over the *Texas Ranger* and the "Grind Section" of the *Cactus*, with full authority to exclude material that they deem libelous, false, improper, or detrimental to good conduct and reputation. Failure to submit all the material intended for publication in the *Texas Ranger* or the "Grind Section" of the *Cactus* to this Committee or failure to exclude material regarded by this Committee as objectionable shall be reported by the Committee to the Dean of Student Life for appropriate action by a Discipline Committee.

The news and editorial policies of *The Daily Texan* shall exclude from its columns libelous material; improper personal attacks; reckless accusations; opinions not based on fact; inaccurate statements; indecencies; material detrimental to the good conduct of the student body; unduly violent and partisan material on national, state, and local political questions, and material too prejudicial to the best interests of the University; or speaking generally, any material in conflict with good taste or wise editorial management; and the Board of Directors of the Texas Student Publications, Inc., shall adopt such affirmative policies as will make the *Texan* one of the best college dailies in the nation.

The Board of Directors shall have the right to exclude any material from a publication issued under its supervision, regardless of the action of the Editorial Advisory Committee. The Board may not, however, order material published which the Editorial Advisory Committee has disapproved or which is contrary to the rules and regulations of the Board.

Sec. 39. Faculty Supervisors of Official Non-Athletic Student Activities Committee (Main, annual).—The Faculty Supervisors of Official Non-Athletic Student Activities Committee shall consist of the Faculty members to each of whom has been assigned responsibility for one of the official non-athletic student activities. It shall be the duty of each member of this Committee to secure a list of prospective participants in the specific official non-athletic activity in his charge, to investigate the eligibility of these prospective participants, and to certify to the Dean of Student Life and to the official in charge of the activity a list of those eligible to participate. Each member, in addition, shall advise with the participants in the group under his supervision and aid them in their work.

It shall be the duty of the Committee as a whole to observe the working of the regulations governing student activities and to recommend to the General Faculty desirable changes in these regulations. This Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 40. Student Musical Organizations Committee (Main, annual).—It shall be the duty of the Student Musical Organizations

Committee to supervise in general all student musical organizations, to approve the establishment of new organizations of this nature, to consider and recommend to the Dean of Student Life nominees for appointment as directors of student musical organizations, and to approve, in advance of such presentation, all programs to be presented publicly. The Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 41. Student Dramatic Organizations Committee (Main, annual).—It shall be the duty of the Student Dramatic Organizations Committee to supervise in general all student dramatic organizations, to advise with the students in the selection of paid directors, and to approve, in advance of such presentation, programs to be presented publicly. The Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 42. Forensics Committee (Main, annual).—It shall be the duty of the Forensics Committee to seek to encourage the development of interest in public speaking in the student body, to approve and to assist in arranging public contests, and to advise with and aid student organizations working in the field of forensics. The Committee, through its Chairman, shall make an annual report to the Dean of Student Life.

Sec. 43. Intramural Athletics for Men Committee (Main, annual). It shall be the duty of the Intramural Athletics for Men Committee to assist in promoting and properly conducting officially organized intramural athletics for men and to advise with the Director of such activities. It shall also be the duty of this Committee to assist in promoting unorganized recreational athletics for men students as far as may be possible. This Committee shall act as a body of final appeal in cases of protests arising from Intramural competition or concerned with Intramural eligibility.

Duties of the Director of Intramural Athletics for Men.—The Director of Intramural Athletics for Men shall be responsible for the promotion and proper conduct of officially organized and, as far as possible, unorganized recreational athletic activities for men students. This responsibility shall include (a) the more detailed scheduling of play fields, floor space, courts, pools, etc., set apart by the Schedule Committee for the use of students for intramural and unorganized athletic activities; (b) the proper care of equipment, play fields, floor space, courts, etc., during these scheduled periods; (c) the keeping of records; (d) the proper expenditure of maintenance funds; (e) the presentation of budgetary recommendations through the Dean of Student Life; (f) the preparation of material relating to Intramural Sports for Men printed in the Catalogue, the *Handbook of Intramural Activities*, or other official University publications.

Sec. 44. Intramural Athletics for Women Committee (Main, annual).—It shall be the duty of the Intramural Athletics for Women Committee to assist in promoting and properly conducting officially

organized intramural athletics for women and to advise with the Director of such activities. It shall also be the duty of this Committee to assist in promoting unorganized recreational athletics for women students as far as may be possible. This Committee shall act as a body of final appeal in cases of protests arising from Intramural competition or concerned with Intramural eligibility.

Duties of the Director of Intramural Athletics for Women.—The Director of Intramural Athletics for Women shall be responsible for the promotion and proper conduct of officially organized and, as far as possible, unorganized recreational athletic activities for women students. This responsibility shall include (a) the more detailed scheduling of play fields, floor space, courts, pools, etc., set apart by the Schedule Committee for the use of students for intramural and unorganized athletic activities; (b) the proper care of equipment, play fields, floor space, courts, etc., during these scheduled periods; (c) the keeping of records; (d) the proper expenditure of maintenance funds; (e) the presentation of budgetary recommendations through the Dean of Student Life; (f) the preparation of material relating to Intramural Sports for Women printed in the Catalogue, the *Handbook of Intramural Activities*, or other official University publications.

Sec. 45. Intercollegiate Athletics Committee and Council (Main, annual).—It shall be the duty of the Intercollegiate Athletics Council to administer, subject to all the University regulations relating thereto and to the jurisdiction of the General Faculty, the President, and the Board of Regents, all athletic games, meets, exhibitions or contests with other colleges or outside organizations; that is, all matters connected with the conduct of intercollegiate athletics and extramural sports except the enforcement of eligibility rules, which shall be within the control of the General Faculty Committee on Intercollegiate Athletics.

The Intercollegiate Athletics Council shall be composed of (a) one member of the Students' Association appointed annually and properly certified, as may be officially provided by the Students' Association; (b) one member of the Ex-Students' Association appointed annually and properly certified, as may be officially provided by the Ex-Students' Association; and (c) the three members of the General Faculty Standing Committee on Intercollegiate Athletics appointed annually by the President of the University with the approval of the Board of Regents. The Chairman of the Faculty Committee on Intercollegiate Athletics shall be Chairman of the Council with vote. The Council shall meet at least once every two weeks during the football season and at least once a month thereafter except during June, July, and August.

The general duty of the Intercollegiate Athletics Council is to conduct intercollegiate and extramural sports in an honorable, beneficial, and economical manner, subordinating these activities to the

intellectual activities of the University and coordinating them helpfully with Intramural Sports, Physical Training, Physical Education, and the Health Service.

In particular, the Intercollegiate Athletics Council (a) shall submit through the President to the Board of Regents, at appropriate times, a careful estimate of the income to be derived during the next fiscal year from gate receipts in the various sports, from the student activities fee (blanket tax), and from other sources, accompanied by a detailed budget in which shall be set forth the outstanding obligations that must be met, together with the expenditures that are recommended for equipment and other purposes, including personnel and salaries of the paid intercollegiate athletics staff; (b) shall submit through the President to the Board of Regents, as far in advance as possible, recommended schedules, prices of admission, contracts, etc., etc.; (c) shall make the duties, rights, and privileges of all head coaches and other employees in the intercollegiate athletics budget an integral part of the written contracts made with such employees, copies of which contracts shall be filed with the President; (d) shall, subject to the provisions of the contracts just mentioned, consult with the business manager and head coaches before authorizing the purchase of equipment, assigning equipment, regulating the use of equipment, scheduling games, selecting officials for games, fixing the number of men to be taken on trips, etc., etc.; (e) shall make regulations governing the wearing and manufacture of the official intercollegiate athletic uniforms and insignia; (f) shall, after receiving the recommendations of the head coaches, award intercollegiate athletics honors; (g) shall regulate the issuance and due recording of complimentary tickets.

Any thirty students of the University, in good standing scholastically and otherwise, shall have the right (a) to ask for any information or explanation from the Intercollegiate Athletics Council that they may deem proper, and (b) to file protests or petitions. Such communications must be in writing, properly signed, and must be answered in writing by the Council as promptly as possible.

The Chairman of the Intercollegiate Athletics Council (a) shall be a representative of the University at official intercollegiate athletic conferences with the power to vote, and shall report promptly the relevant actions of said conferences and his part therein to the Intercollegiate Athletics Council, the General Faculty, and the President; (b) exclusive of the specific duties and responsibilities delegated to the Director of Intercollegiate Athletics named herein, shall be the executive officer of both the Intercollegiate Athletics Council and the General Faculty Committee on Intercollegiate Athletics when these bodies are not in session; (c) shall have direct charge of the administration of all eligibility rules and shall, when desirable, send certified lists of eligible athletes to outside institutions, being assisted by the Registrar in all

matters connected with scholastic eligibility; (d) shall keep copies of individual and group eligibility cards and certificates and of all other relevant material and shall file such material at the end of the fiscal year with the records of the Dean of Student Life; (e) shall report promptly for approval and record to the Intercollegiate Athletics Council or General Faculty Committee on Intercollegiate Athletics all his actions in an executive capacity and shall seek the advice of these bodies, if possible in advance, on all matters that involve a considerable amount of discretion; (f) shall, assisted by the Business Manager, prepare estimates of income and expenditure for consideration of the Intercollegiate Athletics Council in its budgetary capacity; (g) shall, assisted by the Business Manager, edit and attend to the printing of all copy paid for out of intercollegiate athletics funds, filing the signed galley or page proof of all copy in the Publications Office; (h) shall countersign all vouchers drawn by the Business Manager.

The Director of Intercollegiate Athletics (a) shall be a representative of the University on the Rules Committee of the Southwest Conference, including also representation on the Southwest Conference Board, and at all Conference meetings, but excluding all responsibility of and authority relating to local University eligibility status of students incident to competition; (b) shall be the communication agent of the Intercollegiate Athletics Council in making schedule arrangements for intercollegiate athletic contests with other institutions, including particularly (1) the arrangement of football games and (2), with the advice of the Department Head Coaches in other sports, the arrangement of schedules in those sports—all, however, subject to the approval of the Intercollegiate Athletics Council and the Board of Regents; (c) shall be advisor to the Business Manager on the staging of athletic events and crowd attractions; (d) shall have charge of the granting of sideline privileges and the distribution of complimentary tickets to the press for all intercollegiate athletic events, subject to the action of the Intercollegiate Athletics Council; and (e) shall make reports and recommendations in the interest of all intercollegiate athletic matters to the Intercollegiate Athletics Council.

The Business Manager (a) shall be the Secretary of the Intercollegiate Athletics Council, but not a member of it; (b) shall be responsible for the proper care and use of all intercollegiate athletics equipment; (c) shall attend, under the specific direction and audit of the Intercollegiate Athletics Council, to ticket sales, contract settlements, complimentary tickets, vouchers, petty cash, and other related business matters connected with income and expenditure; (d) shall act as purchasing agent for the Intercollegiate Athletics Council; (e) shall sign contracts approved by the Intercollegiate Athletics Council; (f) shall keep a list of agenda for the Intercollegiate Athletics Council, including recommendations of his own for the improvement of the

service; (g) shall act as the agent of the Intercollegiate Athletics Council in dealing with officers of the University whose jurisdiction includes assigning offices, scheduling the use of outside fields and inside rooms, costs of upkeep, and costs of betterments; (h) shall keep account of the income from and services to the participants in the student activities fee (blanket tax); (i) shall estimate the cash value of the equipment, if any, furnished the Departments of Physical Training for Men, Intramural Athletics for Men, Intramural Athletics for Women, and Physical Education; (j) shall estimate the value of any services furnished out of the Intercollegiate Athletics Council Budget to Physical Training for Men, Intramural Athletics for Men, Intramural Athletics for Women, and Physical Education; (k) and shall furnish bond for an amount fixed by the Comptroller of the University.

Sec. 46. Board of Directors of the Texas Union (Main, annual).—It shall be the duty of the Board of Directors of the Texas Union to administer, subject to all relevant University regulations and to the jurisdiction of the General Faculty, the President and the Board of Regents, the affairs of the Texas Union, which is a building provided for the coordination of beneficial extracurricular activities of students and ex-students and faculty members, for recreational and cultural development, for the promotion of genuine democracy, for the cultivation of a more responsible State and National citizenship, and for a more intelligent interest in and deeper affection for The University of Texas.

a. *Board of Directors.*—The Board of Directors of the Texas Union shall consist of nine members: five students, two ex-students, and two faculty members.

The student members shall be chosen as follows: President of the Students' Association, *ex officio*; Secretary of the Students' Association, *ex officio*; three students, at least one of whom shall be a woman, appointed at the time of his inauguration by the President of the Students' Association and approved by the Students' Assembly. For the first year two students shall be appointed for one year and one for two years. Each succeeding year one student shall be appointed for two years and one for one year. The term "year," as used in this paragraph, shall correspond to the period of service of the President of the Students' Association (from May to May). To be eligible for a place on the Board of Directors a student must have at least Junior standing.

The ex-student members shall be chosen as follows: Secretary of the Ex-Students' Association, *ex officio*; an ex-student member appointed by the President of the Ex-Students' Association and approved by its Executive Council for a term of two years, the term of service beginning on June 1 after the appointment.

The faculty members shall be chosen as follows: Dean of Student Life, *ex officio*; a faculty representative chosen by the President of

the University for a term of two years, the term of service beginning June 1 after the appointment.

The officers of the Board of Directors of the Texas Union shall be as follows: Chairman, President of the Students' Association; vice-chairman, Secretary of the Students' Association; secretary (without vote), Union Manager. These officers shall perform the usual duties of their respective offices.

The Board of Directors of the Texas Union may, at its discretion, authorize the three officers together with one other member not a student to serve as an executive committee acting for the Board of Directors between sittings. All actions taken by the Executive Committee are subject to later ratification by the Board of Directors.

The Board of Directors of the Texas Union shall submit through the President of the University to the Board of Regents a careful estimate of the income to be derived during the next fiscal year from receipts from all sources, accompanied by a detailed budget in which shall be set forth the outstanding obligations that must be met together with the expenditures that are recommended for equipment and other purposes, including personnel and salaries of the paid staff of the Texas Union.

The Board of Directors of the Texas Union shall meet regularly at least once a month during each University Long Session, setting its own date for meetings, formulating its own rules of procedure and exercising all powers not specifically assigned herein, subject to the approval of the Board of Regents.

b. *Union Management.*—There shall be a Union Manager who shall serve as chief executive official in the Union Building. The Board of Directors of the Texas Union shall recommend annually on June 1 through the President of the University to the Board of Regents the appointment of the Union Manager. His term of service shall extend from September 1 through the following August 31. The Union Manager shall have general responsibility for the Union Building and its program of activities. He shall be charged with coordinating the various functions of the Building and the interests of the various groups served by the Building. The Union Manager shall recommend for appointment and, with the approval of the Board of Directors of the Texas Union and the Board of Regents, shall employ all subordinate employees. He shall supervise and direct their work.

The Union Manager shall be a member of all committees without vote. On May 1 annually he shall make a complete report to the Board of Directors of the Texas Union covering the activities in the Union Building and including a detailed financial statement. This report shall be transmitted through the President of the University to the Board of Regents. He shall perform such additional services as may be required by the Board of Directors.

The Board of Directors of the Texas Union shall set up and appoint such committees as it may deem necessary and desirable for the proper use of the facilities of the Union Building.

c. *Use of the Union Building.*—While various parts and facilities of the Union Building are reserved primarily for the general use of students, faculty and ex-students, provision is made for extending the use of portions of the Building to special groups for their exclusive use when this can be done in such manner as not to interfere with the regular program of the Union. In such cases a set rental price will be charged. When organizations or groups officially designated by the President as guests of the University desire to use the facilities of the Union such privileges will be granted without cost to the guest group.

It is understood, of course, that all requests for the use of the facilities of the Union shall be subject to the principle that prior reservations are respected. In all cases requests for the use of the Building or any part of it should be made as early as possible, in no case later than two weeks before the proposed use.

CHAPTER VII

THE STUDENTS' ASSOCIATIONS

Section 1. Students' Association of Main University and of Medical Branch.—The Students' Association of the Main University, formed in 1902 and composed of every resident student in the Main University, is hereby approved and continued. It shall have such jurisdiction and shall exercise such powers as the Board of Regents, with its consent, may delegate to it.

The Students' Association of the Medical Branch, formed in 1905, is hereby approved and continued, and all the provisions of this chapter shall apply to it, the Dean of the Medical Branch replacing the Dean of Student Life.

Sec. 2. Constitution and Laws approved.—The Constitution and Laws of the Students' Association of the Main University, as revised to September, 1941, and printed by the Students' Association, are hereby approved, and the jurisdiction and powers therein set forth are hereby delegated by the Board of Regents to the Students' Association.

The Constitution and Laws of the Students' Association of the Medical Branch, as printed and enforced in 1932-33, are hereby approved, and the jurisdiction and powers therein set forth are hereby delegated by the Board of Regents to the Students' Association.

Sec. 3. Mode of amending Constitution and Laws.—An amendment or addition to the Constitution or Laws of either Students' Association may be adopted by the Association in accordance with its Constitution and Laws but does not become effective until transmitted to and acted upon by the Dean of Student Life and the General

Faculty, or the Dean of the Medical Branch and the Medical Faculty, and approved by the Board of Regents.

Sec. 4. Amendment or repeal by Regents.—The law establishing the University vests in the Board of Regents the power to amend or repeal any portion of the Constitution and laws of the Students' Association when, in the judgment of the Board, the interests of the University shall require it. The Board, however, will exercise this power, unless a very grave emergency exists, only after prolonged consideration, due notice, and ample consultation with the Dean of Student Life or the Dean of the Medical Branch, the General or the Medical Branch Faculty, and the officers of the respective Students' Associations.

Sec. 5. Amendment or repeal by Dean of Student Life.—The Dean of Student Life shall have the power, when in his judgment the interests of the University require it, to amend or repeal, temporarily, any provision in the Constitution or Laws of the Students' Association, but his action shall be in force only until the next regular meeting of the Board of Regents, when Section 4, above, becomes applicable.

Sec. 6. Salaried employees approved by Regents.—All persons employed on salary by officially recognized organizations of the Students' Association shall be subject to approval by the Board of Regents, both as to salary and as to qualifications. Contemplated appointments shall be reported through the Dean of Student Life, who shall transmit this information with his recommendation to the President.

Sec. 7. Annual financial reports.—Every officially recognized organization of the Students' Association shall make annually a complete financial report to the Comptroller and shall make such special reports as may be called for by him. A duplicate copy of each report shall be filed with the Dean of Student Life.

Any student organization maintaining a budget in excess of twenty-five dollars per annum shall make such reports of financial condition as may be required by the Dean of Student Life.

CHAPTER VIII

MISCELLANEOUS BUSINESS ROUTINE

Section 1. Financial accounts and reports.—The accounts and records of the University shall be kept, in so far as it is practical to do so, in accordance with the suggestions and recommendations of the National Committee on Standard Reports for Institutions of Higher Education, a committee appointed by the United States Commissioner of Education. The annual financial report prepared by the Auditor of the University shall also be set up in the form recommended by this committee, and a sufficient number of copies of this report shall be printed each year for distribution to members of the staff, various state officials, and other interested persons.

Sec. 2. Group life insurance.—Under a group life insurance policy carried by The University of Texas, the lives of full-time members of the administrative and teaching staff and other employees who have completed one year of service may be insured at very low rates. The amount of insurance allowed is equal to the regular annual salary of each individual, but in no case may exceed \$5,000.00. The policy provides certain benefits for permanent disability, as well as death benefits, and also provides for the conversion of group insurance into regular individual policies, without examination, after employment with the University ceases, when the insurance ordinarily terminates. The University Auditor administers this group life insurance, and the forms used, including necessary information, may be secured from his office.

Sec. 3. Flag at half mast.—The flag at The University of Texas shall be placed at half mast on the occasion of the death of a Regent, of a member of the instructional or administrative staff, or of a student in residence.

Sec. 4. Administration of loan funds.—The necessary duties involved in the administration of the various loan funds in the custody of the University shall be performed by the Loans Committee designated for each loan fund, or the Loans to Students Committee of the General Faculty, and the Auditor's Office. In general, the division of duties between the Loans Committee and the Auditor's Office shall be as follows: (a) The Loans Committee shall (1) make all preliminary investigations of applicants for loans and sureties offered by such applicants; (2) pass on all applications for loans and applications for renewals or extensions of such loans; (3) attend to and preserve all correspondence and other papers accumulated up to the time a loan is granted; (b) the Auditor's Office shall (1) attend to all cash, investments, notes, accounts, and records in connection with the various loan funds; (2) proceed to collect all loans as they fall due and take whatever steps seem reasonable and necessary to preserve and keep intact the principal of the various loan funds; (3) attend to all correspondence having to do with collections and all other correspondence and papers accumulated after the loans are granted.

Sec. 5. Traveling expenses.—The Maintenance and Equipment Fund of a non-teaching unit is designed for use in assisting that unit to perform its designated functions.

The Maintenance and Equipment Fund of a residence-teaching department is set apart for the sole purpose of teaching or research, but when an essential part of the class teaching of a residence-teaching department involves traveling with his class on the part of a member of the department staff, the traveling expenses of such staff member may be paid from the Maintenance and Equipment Fund of the department concerned, provided: (a) that the payment be authorized by a recorded vote of the faculty of the department prior to the incurring of the expense; (b) that the Chairman of the

department report at once to his Dean the purpose of the travel, the person making the trip, and the expense incident thereto; and (c) that the incurring of such expenses will not be regarded as justifying a request for additional Maintenance and Equipment Funds after the budget has been made. The authorization and report provided for in (a) and (b) shall be made separately for each occasion. If the Dean is a member of the faculty of the department concerned, he shall report the expenditure to the President.

Other traveling expenses not included above and not explicitly provided for in the annual budget shall be considered by a committee of three members of the Administrative Council of the Main University or by the Faculty and Admissions Committee of the Medical Branch, respectively. Requests for such traveling expenses shall be made to the appropriate committee, which, after considering each request, shall make a recommendation to the President advising what action the committee thinks he should take.

Sec. 6. Faculty use of Gregory Gymnasium.—Male members of the University staff shall have: (a) use of Room 10 as a Faculty Locker Room; (b) exclusive use of Room 12 as a Faculty Gymnasium; (c) priority in the use of Handball Court No. 9 from 3:00 to 6:00 P.M. daily except on Sunday; (d) use of the swimming pool at designated times not conflicting with the schedule for the pool; (e) priority in the use of two tennis courts on Nineteenth Street.

Sec. 7. Naming of Buildings.—No building of the University shall be named in honor of someone because of distinguished service to the University or to Texas or to the United States until (a) the bearer shall have been dead at least ten years and (b) a nomination accompanied by reasons shall have been obtained from the General Faculty by the Board; provided that the foregoing shall not necessarily apply when naming a building donated to the University by individuals.

CHAPTER IX

THE UNIVERSITY OF TEXAS DEVELOPMENT BOARD

Section 1. Organization.—The University of Texas Development Board was formally organized May 27, 1938, in accordance with the following resolution adopted by the Board of Regents of The University of Texas and also by the Executive Council of the Ex-Students' Association:

Resolved: That there be created a Development Board composed of three members appointed by the Board of Regents, four members appointed by the Executive Council of the Ex-Students' Association, and two members of the Faculty of the University appointed by the General Faculty by preferential secret ballot, all of whose terms of office shall be determined and established by the body authorized to appoint such members, with the President of the University as an ex-officio non-voting member, which Development Board, subject to

control by the Board of Regents, shall develop and carry forward a program for the development of the University through gifts and endowments.

The Director assumed his duties and the Board's office was opened December 1, 1939.

Sec. 2. **Bylaws.**—The bylaws of The University of Texas Development Board, with amendments to August 1, 1943, are:

**BYLAWS
OF
THE UNIVERSITY OF TEXAS DEVELOPMENT BOARD**

Article I

Name and Purpose

Section 1. The name of the Board shall be The University of Texas Development Board.

Sec. 2. In accordance with resolutions adopted by the Board of Regents of The University of Texas and the Ex-Students' Association of The University of Texas, creating this Board, the purpose for which it is created and organized is, subject to control by the Board of Regents, to develop and carry forward a program for the development of the University through gifts and endowments.

Article II

Membership and Term of Office

Section 1. The Board shall be composed of nine voting members, three appointed by the Board of Regents of The University of Texas, four appointed by the Executive Council of the Ex-Students' Association of The University of Texas, and two members of the Faculty of the University appointed by the General Faculty of the University by secret ballot, and the President of The University of Texas as an ex-officio non-voting member.

Sec. 2. Vacancies shall be filled by the body appointing the person whose place is vacant.

Sec. 3. The terms of office of the members of the Board shall be determined and established by the body appointing them as provided in Section 1 of this Article II.

Article III

Officers

Section 1. The officers of this Board shall be a chairman, a vice-chairman, a director, and a secretary-treasurer.

Sec. 2. Each officer of the Board except the director shall be a member of the Board.

Sec. 3. Each officer of the Board shall be elected by a majority of the voting members of the Board and shall hold office for one year, or until his successor shall have been chosen. No officer except the director and the secretary-treasurer shall serve more than three consecutive terms.

Sec. 4. Officers shall be elected annually at the regular May meeting of the Board.

Sec. 5. The chairman shall preside at all meetings of the Board. He shall be responsible for the general direction of the affairs of the Board and shall be the official representative of the Board. In the absence or disability of the chairman, the vice-chairman shall preside and serve in his place and stead.

Sec. 6. The director shall be the full-time administrative officer of the Board. He shall be responsible to the Board for the conduct of the headquarters office and shall perform all other duties appertaining to his office or definitely assigned to him by the Board.

Sec. 7. The secretary-treasurer shall keep the minutes of the meetings of the Board and shall have charge of all operating funds of the Board under the direction of the Board. Unless otherwise provided, he shall countersign all checks written by the director on the Board's accounts. He shall see to it that systematic accounts are kept in the director's office, or elsewhere, and that an annual financial report, and such other reports as are required by it, are made to the Board.

Article IV

Meetings

Section 1. The Board shall hold two regular meetings each year, one in May and the other in October; the May meeting shall be considered the annual meeting.

Sec. 2. Special meetings of the Board shall be held as determined by the Board itself or upon call of the chairman or upon request in writing signed by at least three members which may include the President of the University.

Sec. 3. The exact date and place of holding meetings shall be as fixed by the Board, or in the call issued for the meeting.

Article V

Quorum

Section 1. Five voting members shall constitute a quorum at any meeting.

Article VI

Committees

Section 1. There shall be an executive committee composed of the officers of the Board, and such other standing and special committees appointed by the chairman as may be determined upon by the Board.

Article VII

Amendments

Section 1. These bylaws may be amended at any regular meeting, or at any called meeting in the notice for which the members are advised of the contemplated consideration of the amendment, by vote of a majority of the voting members of the Board.

Sec. 3. **Terms of Office of Board Members.**—The terms of office of members of The University of Texas Development Board, as fixed by the respective appointing bodies named in the establishing resolution, are six years.

Sec. 4. Finances.—The expenses of The University of Texas Development Board, including the salaries of employees of the Board, are paid from regular annual appropriations made by the Board of Regents of The University of Texas upon recommendation of the President of the University. Such expenses and salaries are paid through the Auditor of the University, in accordance with the established business routine and in accordance with all statutes affecting the University.

The University of Texas Development Board annually, upon receipt of request from the President of the University, submits detailed recommendations for the budget of the Development Board for the next fiscal year and, in each even-numbered year, upon receipt of request from the President of the University, submits similarly detailed recommendations covering the financial needs of the Development Board for the coming biennium. The President submits to the Board of Regents his recommendations for appropriations for The University of Texas Development Board at the same time as, and as a part of, his recommendations for the regular annual budgets of the University.

The financial accounts, records and reports of The University of Texas Development Board are prepared and kept by the Auditor of the University and are incorporated as a component part of the financial accounts, records and reports of The University of Texas.

Sec. 5. General Policy of the Board.—The University of Texas Development Board at its meeting on April 5, 1940, adopted for its guidance, subject to revision or modification as future conditions might warrant, the following:

STATEMENT OF POLICY

a. The Board will pursue a continuous sustained effort toward the acquisition of gifts and endowments through a program of education and cultivation without entering upon general campaigns or pursuing what are commonly known as high-pressure methods.

b. The Board will determine, with the collaboration and approval of the Board of Regents and the Administration, the major needs of the University which it is hoped the efforts of the Board will fill, arranging these as nearly as possible in the order of their importance, together with a reasonable approximation of the prospective cost.

c. The Board in addition to its long-range planning will be constantly alert to the acquisition of desirable gifts which may not be high on the list of needs or necessarily appear thereon at all, but which represent the particular interest of some prospective donor or an immediate opportunity, or fill a real University need, and are not inconsistent with the University acquisition program.

d. The Board will coordinate all gift-getting efforts and encourage the friends of the University to correlate their efforts in this field through the Board and its agencies.

e. It will be considered the privilege and duty of each member of the Board to be alert to the opportunity of securing gifts by discovering and cultivating prospects.

f. The Board will develop through the Director's office as rapidly as is consistent with existing conditions a file of the best prospective donors, which shall contain all possible information regarding these persons and the basis of contacts with them.

It will be the policy of the Board by means of planned and carefully directed efforts to carry on continuous cultivation of these prospects.

g. It will be the policy of the Board to establish in designated centers throughout the State and at appropriate places elsewhere committees for the purpose of analyzing the possibilities of benefactions from within and around these localities, and to assist the Board in developing its list of prospective donors and the appropriate method of approach to them, the number of persons upon any one of these committees to be determined according to needs and local conditions.

h. As occasion arises, the Board will appoint individuals or committees to assist in the cultivation of particular prospective donors.

i. Within the discretion of the Board and the Director, there will be set up, as conditions may warrant, special committees for the promotion of specific projects of the Board.

(1) In order that these committees may work most effectively and not at cross purposes with any other effort of the Board they shall correlate their activities and plans with the Board's local committees in the respective communities in which they may be working, as set forth in Section "g" hereof, and they shall further correlate their activities through the office of the Director.

j. Realizing the importance of graphically presenting the University and its needs to prospective givers, the Board will determine upon a general policy of publishing and contact by mail, and the Director's office shall follow a program based upon such policy.

k. It will be the policy of the Board to enlist the active cooperation of the Regents, the office of the President of the University, the Ex-Students' Association, and the Department of Publicity and Public Relations, in a constant effort properly to keep the University and its needs before as many ex-students and others as possible.

l. It will be the policy of the Board to encourage the Ex-Students' Association in keeping with successful efforts at other schools to build up its Ex-Student Fund program, the purpose of which Fund is to encourage small annual gifts to the University through the Ex-Students' Association. It is believed that such a program, in addition to any immediate results obtained, will be effective in educating ex-students to become large donors themselves and to encourage gifts from others. The Board will further encourage the Association in promoting Ex-Student Club projects, such, for instance, as scholarships for outstanding local students, in order further to stimulate general interest in the University and implement the Board's program.

CHAPTER X

THE SCHOOL OF DENTISTRY

Section 1. Establishment.—The School of Dentistry of The University of Texas was established in Houston, Texas, as of September 1, 1943, in accordance with H. B. 278 passed by the Regular Session of the Forty-eighth Legislature.

Sec. 2. **Administration.**—The academic and internal affairs of the School of Dentistry shall be administered by the Dean of the School of Dentistry, who shall be appointed by the Board of Regents upon the recommendation of the President of the University.

The business, financial and accounting affairs of the School of Dentistry shall be performed by and under the direction of an Auditor-Bursar, who shall be responsible to the Comptroller of The University of Texas and through him to the President and the Board of Regents. The Auditor-Bursar shall be appointed by the Board of Regents upon recommendation of the Dean of the School of Dentistry, the Comptroller of the University and the President.

In so far as applicable, the Rules and Regulations governing the Main University, heretofore set forth, shall apply also to the School of Dentistry.

CHAPTER XI

THE COLLEGE OF MINES AND METALLURGY

Section 1. **Establishment.**—The College of Mines and Metallurgy, at El Paso, was made a branch of The University of Texas by an act of the Thirty-sixth Legislature in 1919, for instruction in the arts of mining and metallurgy (*Vernon, 2633*). In 1927 the Legislature provided for the enlargement of the program of the College to include the liberal arts.

Sec. 2. **Administration.**—The administration of the College of Mines and Metallurgy shall be under the direction of the President of the College, who shall be appointed by and responsible directly to the Board of Regents.

In so far as applicable, the Rules and Regulations governing the Main University, heretofore set forth, shall apply also to the College of Mines and Metallurgy.

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