



THE UNIVERSITY OF TEXAS MEDICAL BRANCH  
GALVESTON, TEXAS 77550

BOARD OF REGENTS  
RECEIVED  
OCT 2 1989  
U.T. SYSTEM



Institute for the Medical Humanities  
(409) 761-2376

*James Wade Rockwell*  
*Professor of Medical History*

September 27, 1989

Margaret Glover  
Assistant Secretary  
Board of Regents  
The University of Texas System  
201 W. 7th Street  
Austin, Texas 78701

Dear Margaret:

The 4th edition of the Rules and Regulations of the University of Texas Board of Regents was adopted on April 27, 1920 and the 5th edition was adopted on December 8, 1925. I would be grateful if you would check your files and see if you have copies of these editions. If so, I would be most grateful for photo copies of each. Thanks so much for your assistance.

Sincerely,

Chester R. Burns, M.D., Ph.D.

CRB/nf

10/2/89  
D/APP  
A/C  
a

Mr. Burns —

*see attached.*

*Margaret*  
*10-2-89*

Austin, Texas, April 27, 1920.

The Board of Regents of the University were in regular session at the Main University on Tuesday morning, April 27, 1920. Present: Cook (Chairman), Brents, Stark, Steiner and Wroe; President Vinson and the Secretary. Mr. Kemp arrived later.

Chairman Cook called the meeting to order. The Secretary read the minutes of the special meeting held on February 3 and, on motion of Mr. Stark, they were approved as read. The minutes of the meeting of November 6, 1919, having been mailed to each member, were approved without being read.

#### PRESIDENT'S REPORT.

The President presented his report, found elsewhere in these minutes, and the actions indicated below were taken with reference to matters presented by him.

1. MINERAL RIGHTS AND OIL ROYALTIES. Voted, on motion of Mr. Stark, seconded by Mr. Brents, to request the Legislature so to change the present statutes as to make lease money for mineral rights on University lands a part of the available University fund, to be expended for permanent improvements only, and royalties a part of the permanent fund.

2. BUDGETARY POLICY FOR 1920-1921. On motion of Mr. Stark the Board instructed the President to make up the budget for next year on the basis of the scale recommended in his report, with the maximum salary of full professors to be \$6000 if possible, and to ask the special session of the legislature for an additional appropriation of \$550,000 for next year for the proper maintenance of the University.

3. CHANGES IN THE RULES AND REGULATIONS OF THE BOARD. Adopted, on motion of Dr. Steiner, seconded by Mr. Stark, the revision of Articles II, III, IV and V of the Rules and Regulations for the Government of the University of Texas, recommended by the President. (For copy see the Secretary's files).

4. SOCIALISM IN THE UNIVERSITY. Accepted, on motion of Mr. Stark, seconded by Mr. Brents, the report of the faculty committee appointed to investigate Professor A. B. Wolfe and ordered it filed with Secretary, and, furthermore, voted to regard this matter closed.

5. DEATH OF PROFESSOR EDWIN W. FAY. Voted, on motion of Mr. Stark, that the Board express its appreciation of Dr. Fay and its feeling of loss in his death, and that a copy signed by each Regent be sent to Mrs. Fay.

6. SUCCESSOR TO DR. FAY. Appointed, on motion of Mr. Brents, Mrs. Edwin W. Fay as Instructor in Latin for the spring term of the current year at a salary of \$500, and elected Dr. W. J. Battle professor of Classical Languages effective September 1, 1920, at the maximum salary of a full professor.

7. UNIVERSITY HALL. Voted, on motion of Mr. Stark, provided there are no difficulties arising from the terms of the gift, to convert B. Hall into an office and seminar building, and appropriated therefor the sum of \$45,000 or so much thereof as may be required.

8. ADDITIONAL LAND. Appropriated, on motion of Mr. Stark, the sum of \$7,500 for necessary repairs and alterations in the President's home at 216 W. 27th St., and instructed the Finance Committee to purchase such additional land in Austin as may be thought advisable.

9. ADDITIONAL TEMPORARY BUILDING. Transferred, on motion of Dr. Steiner, the sum of \$1000 from the Department of Electrical Engineering to the Division of Engineering of the Bureau of

Adopted Apr. 27, 1920

## Revised Sections of the Rules and Regulations of the Board of Regents

---

### ARTICLE II

#### OFFICERS OF ADMINISTRATION

Section 1. The President of the University shall be the expert adviser and responsible agent of the Board of Regents and the chief executive of the University. 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 this extensive responsibility. All other officers, teachers, and employees shall be responsible to and under the direction of the president, and all communications between them and the regents relating to the University shall pass through his hands for any endorsements he may deem it proper to make. He shall recommend suitable persons to fill vacancies, and is authorized to fill vacancies temporarily and make other arrangements in all emergencies between the meetings of the board, so that the work of the University shall not suffer. He shall be prepared to give the board information regarding the competence and loyalty of officers, teachers, and employees; shall hold all of them to the full discharge of their duties; and, if in his judgment the necessity arise, shall initiate steps for a change of any of them. He shall be a member and chairman ex officio of the general faculty, and shall see to the execution of all regulations originating therein. He shall keep in sympathetic touch with the students, so far as their number permits, and shall personally and in cooperation with other officers and teachers help them to become loyal, useful, and efficient citizens. He shall attend all meetings of the Board of Regents and shall follow its directions in any particular matter, but the board will not undertake, ordinarily, to direct the details of executive action, and the president is expected to act with perfect freedom within the lines of the general policies it lays down. At the regular meeting of the Board of Regents in connection with the commencement at the Main University, he shall present a comprehensive annual report embodying a survey of the academic year in all departments, together with estimates and recommendations for the succeeding year.

Section 2. The deans of the several colleges and schools shall preside at the meetings of their respective faculties; shall plan for and see to the execution of the regulations affecting their colleges and schools; shall concern themselves with the interests and attention to duty of individual students; and shall see that the courses of instruction are as well correlated as practicable. They shall receive from each department the reports hereinafter provided for, and shall transmit the same to the president with

such recommendations and suggestions as they may deem wise. They shall make careful investigation of all nominations for promotions and appointments to their respective faculties, and shall transmit these nominations to the president, together with such information and recommendations as may enable him to make intelligent decision.

It shall be the duty of each dean to present to the president on April 1 of each year a complete written report of the condition of the college or school under his supervision, containing a detailed statement of its activities for the current year, an estimate of the expenditures required for the succeeding year for equipment, salaries, etc., recommendations for promotions and appointments in the faculty, and such other information and constructive suggestions as may be necessary for the best conduct and development of the college or school. In addition to the foregoing annual report, each dean shall on April 1 of each even numbered year present to the president a detailed estimate of the needs of his college or school for the next succeeding legislative biennium.

Besides the duties outlined above, the dean of the College of Arts and Sciences is charged exclusively with passing on the scholastic eligibility of candidates for athletic teams, debating teams, music and dramatic organizations, as well as for any other organization that may in any way represent the University.

The deans shall be elected by the Board of Regents, upon nomination of the president, and shall serve for two years.

Section 3. The dean of women shall be charged with the general oversight of all the women students of the University. She shall seek to become their representative, guide, and friend, and it shall be her duty to aid and advise them in their University work and in social life, to the end that the highest attributes of independence and true womanly character may be developed. She shall make an annual report to the president on April 1, and present biennial estimates, as required of the deans of colleges and schools, on April 1 of each even numbered year.

Section 4. The director of extension shall be the administrative head of all those extramural activities of the University which are now or may hereafter be assigned by the Board of Regents to the Bureau of Extension, and shall in general perform all of the duties assigned to the deans of colleges and schools in so far as the same may be applicable, and in particular shall endeavor to carry the benefits of the University to the people of Texas to such an extent as the resources of the University may permit. He shall make an annual report to the president on April 1, and shall present biennial estimates, as required of the deans, on April 1 of each even numbered year.

Section 5. The registrar shall see to the execution of all regulations dealing with the admission of students to all colleges and schools of the University, and shall have charge of the admission examinations, the removal of admission conditions, and the registration of students. He shall keep permanent, systematic, and convenient records, containing the class grades of each student and all other recordable information about him that he or the University may at any time need. The records shall

be so kept as to enable authorized persons to get from them the maximum of legitimate information about students with the minimum expenditure of time and effort. The registrar is authorized to call upon other officers and upon teachers and students for such information as he may need for the performance of these duties. The registrar shall, where not otherwise provided, pass upon all candidates for scholarships and all applications for loans, and shall keep a complete record of all scholarships and loans. He shall serve as secretary of the Publications Committee of the general faculty, and shall, under the regulations of the committee, edit and supervise the preparation of all official series bulletins, including the long session and summer session catalogues, the annual directory, and the final announcement of courses. He shall also serve as chairman of the Schedule Committee of the general faculty, and shall, under the regulations of the committee, prepare all schedules of hours and rooms for classes and for examinations. He shall serve as a member of the administrative council. He shall make an annual report to the president on April 1, and shall present biennial estimates on April 1 of each even numbered year.

Section 6. The auditor shall be the receiving and disbursing agent for the University, and shall have charge of the accounting department of the institution. He shall devise and have kept a simple but 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 a full, complete, and properly classified system of accounts, showing all properties belonging to the University of Texas, and in such manner as at all times to set forth clearly, truthfully, and fully all of the assets and liabilities of the University of Texas. He shall sign and keep a carbon duplicate of all purchase requisitions. He shall audit the accounts of all expenditures, and see that they are charged to and covered by proper appropriations, that all items covered by 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 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 other officially designated authority, and he shall be responsible for the proper accounting of every cent received or disbursed by him. He shall submit to the business manager, before payment, all expense accounts of those connected with the University and all other bills against the institution whenever any of the items seem to him excessive.

He shall prepare proper books and blanks for keeping a record of the receipts and disbursements of the Woman's Building, University Hall, and the University Commons in Austin, and shall have authority to require the managers to furnish to him such reports and statements as may be necessary to give him a clear insight into their financial condition.

The auditor shall enter into a bond in the sum of twenty thousand dollars (\$20,000), with four or more good and sufficient sureties, 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 the moneys, 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.

The auditor shall be required to furnish to the president of the University and the chairman of the Board of Regents such financial statements and reports as may be required by them.

Section 7. The business manager shall supervise all strictly business operations of the University, and 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 the approval of the president and the Board of Regents. He shall approve, before payment by the auditor, all bills against the University falling within the business department, and all expense accounts of those connected with the University and all other bills against the institution whenever any of the items in the judgment of the auditor are excessive.

The business manager shall act as purchasing agent for the various departments for all supplies other than educational supplies; but no purchases shall be made except upon an order signed by the auditor, of which the latter shall keep a carbon duplicate. As purchasing agent, the business manager 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 give them out on proper requisition to the various individuals entitled thereto.

The business manager shall also supervise the business operations of and act as purchasing agent for the Woman's Building, University Hall, and the University Commons, with a view to conducting them upon as economical and as efficient a basis as possible. In the performance of these duties, he shall advise freely with the president and the standing committees of the general faculty appointed for that purpose.

The business manager shall have charge of the powerhouse and the workshop, and shall arrange for the maximum cooperation of these plants with the engineering departments and such other departments as may be interested in using them for teaching and research purposes.

The business manager shall organize and supervise any central typing and stenographic office that may be established.

The business manager shall have general charge of the University lands

bordering on the Colorado River, known as the Brackenridge lands; shall care for and make such leases of the same as the chairman of the Land Committee may indorse, collecting all rents and paying them over to the auditor upon proper receipt therefor; and shall see that these lands are used as the Land Committee may from time to time direct.

The business manager shall care for all buildings and grounds occupied by the University, and shall supervise all improvements and repairs in connection therewith. He shall be responsible for the disbursement of the funds provided for these purposes, and shall arrange, by contract or otherwise, for their expenditure. Within the limits of the appropriations made by the board, it shall be his duty to have repairs made in time to prevent, as far as possible, depreciation of the University property.

During the planning and construction of new buildings, the business manager shall advise with and aid the architect, as well as the state inspector of masonry. He shall receive the architect's reports, and, after consulting with the president and, when necessary, with the executives of the departments concerned, shall transmit such reports, together with his recommendations, to the chairman of the Building Committee; and he shall act for said chairman in such matters as the latter may direct.

The business manager shall be custodian and shall be responsible for the safekeeping of all property belonging to the University of Texas; shall keep a true and correct inventory thereof and present the same to the Board of Regents at the October meeting; and shall have authority to require from the chairmen of departments, special agents, and employees, at least annually, and oftener if necessary, a full statement of the property in their immediate possession belonging to the University.

The business manager shall enter into a bond in an amount to be fixed by the Board of Regents 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, and 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 the moneys, property, vouchers, and papers belonging to the University, for which he is responsible.

The business manager shall make an annual report to the president on April 1, and shall present biennial estimates on April 1 of each even numbered year.

Section 8. The librarian shall have charge of and be responsible for the proper use and condition of the library. All books, pamphlets, maps, etc. (other than account books of record), belonging to the University, shall be deemed to belong to the University library. All reference books and current periodicals, magazines, and newspapers shall be made as easy of access as practicable to all patrons of the library, and no limitations not necessary to their preservation shall be placed upon their free use. Other books, except such as are referred to in the next paragraph, shall be delivered for use only upon a proper call.

Books which are purely technical and relate to the work of a single department or of a single college or school may be taken out by that de-

partment or college or school under such regulations and for such times as the librarian may determine; but the librarian shall not thereby cease to be responsible for their safekeeping and proper use.

The librarian may make and enforce such rules for the government of the library as are approved by the president. The librarian shall make an annual report to the president on April 1, and shall present biennial estimates on April 1 of each even numbered year.

Section 9. The administrative council for the Main University shall consist of the president, the deans of the several colleges and schools, the dean of women, the director of extension, and the registrar, and such other administrative officers as may be designated by the Board of Regents. The council shall hold regular semi-monthly meetings during the long session of the University and at other times by the call of the president or on the request of two members. The officers of the council shall be the president, as chairman ex officio, a vice-chairman, and a secretary, to be elected by the council, all of whom shall perform the usual duties of such officers. The vice-chairman and the secretary shall serve for such period as the council may determine. It shall be the duty of the vice-chairman of the council, in the absence of the president of the University from Austin, to represent him in appropriate matters, including presiding at meetings of the general faculty.

It is not the intention of the Board of Regents to define in detail the duties of the administrative council further than that it shall act in an advisory capacity to the president upon matters of University policy, in the equitable distribution of the resources of the University among its various departments and activities, and in matters relating to the best interests and development of the University as a whole. In addition to these duties, the administrative council shall act as the executive committee of the general faculty.

Section 10. The deans of the Medical Branch and of the College of Mines and Metallurgy shall perform the duties of the deans of colleges and schools, and shall represent the president in appropriate matters during the latter's absence from Galveston and El Paso. The administrative councils for these branches shall consist of their respective executive committees together with the president.

### ARTICLE III

#### FACULTIES

Section 1. Subject to the supervision of the Board of Regents and the authority it has vested in administrative officers, 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 that branch; and the general charge of the College of Mines and Metallurgy, to the faculty of that college; each of these bodies to consist of such teachers and other officers as may be designated by the Board of Regents.

Section 2. Each college or school of the Main University, including the College of Arts and Sciences, shall be under the immediate charge of its college or school faculty. The faculty of the College of Arts and

Sciences shall consist of the members of the general faculty who belong to this college, and of such other persons as the Board of Regents may designate. The faculty of each of the other colleges or schools of the Main University shall consist of the members of the college or school who are members of the general faculty; of other teachers with the rank of instructor in the department who have served as such for a year or more; of one teacher, to be designated by the president, for each full course required from outside the college or school for any degree offered in the college or school; and of such other persons as the Board of Regents may designate. All members of each faculty shall have a voice in its deliberations; but only those shall have a right to vote who have a right to vote in the general faculty. Legislation exclusively affecting any college or school shall originate in the faculty of that college or school; legislation affecting more than one college or school shall originate in the general faculty or in the faculty of any college or school concerned; but no legislation shall be effective until approved by the general faculty (or, at its discretion, by its executive committee), and where necessary by the Board of Regents. Legislation affecting all colleges and schools shall originate in the general faculty.

#### ARTICLE IV

##### DEPARTMENTS AND DIVISIONS

Section 1. The faculties of the various colleges and schools shall consist of such departments as may from time to time be created by the Board of Regents.

Section 2. The staff of each department shall consist of all members who are concerned with the conduct of its work. Those members of the staff who hold a rank above that of assistant shall constitute the faculty of the department. All members of the department faculty shall have a voice in its deliberations, but only those members shall have a vote who have a vote in the general faculty.

Section 3. The chairman of each department, appointed by the Board of Regents to serve for two years, shall preside at its meetings, transmit its recommendations to the president through the dean of the college or school; prepare under its direction the annual report of the department, and, in general, serve as the department's chief executive. It shall be the duty of all of the full professors of a department conjointly, or of its ranking professor, in case there is no full professor, to make annually to the president, through the dean of the college or school, such recommendations touching salaries and promotions in the department as may be deemed wise, and to recommend, after conference with the other members of the department staff, suitable persons for appointment to vacant positions.

Section 4. The faculty of each department shall hold stated meetings at least once each term, and may meet at other times by the call of the chairman, or on written request of a majority of its members. It shall have power to pass regulations (subject to the rules passed by the regents

and the general faculty) governing the internal working of the department, propose new courses to the Course Committee, and make recommendations touching equipment and such other matters as may affect the welfare of the department, except in respect to salaries and promotions.

Section 5. Before final adoption and submission to the dean of the college or school and to the president, the annual report of the work of the department, proposed new courses, plans for equipment, and all recommendations of importance, shall be presented for discussion to the division of which the department forms a part.

Section 6. To secure properly coordinated action between related departments in the College of Arts and Sciences, they shall be grouped conveniently into divisions by the Board of Regents.

Section 7. The faculty of each division shall consist of the faculties of the departments comprising it. All members of these faculties shall have a voice in its deliberations, but only those members shall have a vote who have a vote in the general faculty. Each division shall elect its own chairman to serve for two years. Stated meetings shall be held at least once each term, and meetings may be held at other times by the call of the chairman, or on written request of a majority of the division faculty.

Section 8. The division shall have power to recommend to the general faculty requirements for honors in the several divisions; to supervise the work of candidates for honors; to arrange and regulate such seminaries, societies, lectures, etc., as may need combined action; to nominate candidates for fellowships created primarily for the promotion of advanced work; and to make recommendations on any matter affecting the welfare of the division.

## ARTICLE V

### MISCELLANEOUS

Section 1. The fiscal year of the University shall begin on the first day of September in each year, and shall end on the thirty-first day of August next ensuing.

Section 2. The chairman of each department shall keep an inventory book in which to enter in detail all apparatus and other property belonging to the department. In addition to keeping this book, the chairman of each department shall present to the business manager, at least annually, and oftener if necessary, a complete inventory of all apparatus and other property belonging to the department, together with a statement of the condition thereof.

Section 3. No one connected with the University, in any capacity, shall use for his own pleasure or for any other personal purpose any 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, or with the distinct approval of the president or business manager of the University.

**University of Texas Bulletin**

No. 2548: December 22, 1928

**By-Laws of the Board of Regents and Rules and  
Regulations for the Government of the  
University of Texas**

Adopted by the Board of Regents, December 8, 1928



PUBLISHED BY  
THE UNIVERSITY OF TEXAS  
AUSTIN

# University of Texas Bulletin

No. 2548: December 22, 1925

## Publications of the University of Texas

Publications Committee:

FREDERIC DUNCALF	C. T. McCORMICK
D. G. COOKE	E. K. MCGINNIS
J. L. HENDERSON	H. J. MULLER
E. J. MATHEWS	HAL C. WEAVER

The University publishes bulletins four times a month, so numbered that the first two digits of the number show the year of issue, the last two the position in the yearly series. (For example, No. 2201 is the first bulletin of the year 1922.) These comprise the official publications of the University, publications on humanistic and scientific subjects, bulletins prepared by the Division of Extension, by the Bureau of Economic Geology, and other bulletins of general educational interest. With the exception of special numbers, any bulletin will be sent to a citizen of Texas free on request. All communications about University publications should be addressed to University Publications, University of Texas, Austin.

  
UNIVERSITY OF TEXAS PRESS, AUSTIN

## By-Laws of the Board of Regents and Rules and Regulations for the Government of the University of Texas

Adopted by the Board of Regents, December 8, 1925



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

**TABLE OF CONTENTS**  
**BY-LAWS OF THE BOARD OF REGENTS**

**Article I—Time, Place and Manner of Meetings**

Section	Page
1. Regular meetings	5
2. Special meetings	5

**Article II—Officers and Their Duties**

1. Election of officers	5
2. Duties of officers	5

**Article III—Standing Committees and Their Duties**

1. List of standing committees	6
2. Term of office of standing committees	6
3. Method of filling vacancies in standing committees	6
4. Duties of the Executive Committee	6
5. Duties of the Finance Committee	7
6. Duties of the Auditing Committee	7
7. Duties of the Committee on Buildings and grounds	7
8. Duties of the Committee on Complaints and Grievances	7
9. Duties of the Legislative Committee	8
10. Duties of the Land Committee	8

**Article IV—Rules of Procedure and Order of Business**

1. Rules of procedure	8
2. Order of business	8
3. Meetings to be executive	8
4. Matters to be referred to committees	8
5. Communications to the Board to be in writing	9

**Article V—Repeal and Amendment**

1. Repeal of conflicting rules	9
2. Manner of making amendments	9

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

**Article I—Board of Regents**

1. University policies	10
2. Election of University officers	10
3. Organization of the University	10
4. Appointments, tenure, and promotions	10
5. Expenditures to be based on budget	11
6. Rules of the faculty to be approved by the Board	11

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. . . . It is the only dictator that freemen acknowledge and the only security that freemen desire.

Mirabeau B. Lamar

Section	Page
7. Anti-nepotism law	11
8. Vacations	11
9. Outside employment	11
<b>Article II—Officers of Administration</b>	
1. The President	11
2. The Deans	12
3. The Dean of Student Life	13
4. The Dean of Extension	14
5. Chairman of the Division of the Conservation and Development of the Natural Resources of Texas	14
6. Directors of Physical Training	15
7. The Director of the Summer Session	15
8. The Registrar	16
9. Statistician to the President	16
10. The Auditor	16
11. The Comptroller	17
12. The Librarian	20
13. The Administrative Council	21
14. The Administrative Councils for the Medical Branch and the College of Mines and Metallurgy	21
<b>Article III—Faculties</b>	
1. General faculty	22
2. Separate faculties	22
<b>Article IV—Departments</b>	
1. How created	23
2. Departmental staff	23
3. Departmental chairmen	23
4. Meetings of departmental faculties	24
5. Salaries and promotions	24
<b>Article V—Miscellaneous</b>	
1. Fiscal year	24
2. Property inventories	24
3. Use of University property	24
4. Announcement of courses	24
5. Schedule of classes	25
6. Office hours	25
7. Employees of student organizations	25
<b>Appendices</b>	
A. Constitutional provisions relating to the University	26
B. Laws relating to the University	28

## BY-LAWS OF THE BOARD OF REGENTS

### ARTICLE I

#### Time, Place, and Manner of Meeting

**Section 1. Regular meetings.**—The regular meetings of the Board of Regents shall be held each year at 10 A.M. on the third Tuesday in January, March, May, and October, the meeting, except when determined otherwise, to be held at Austin; and the Board shall continue in session until the business before it shall have been disposed of.

**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, 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.

### ARTICLE II

#### Officers and Their Duties

**Section 1. Election of officers.**—At the January meeting in each odd-numbered year, the Board shall elect a Chairman, a Vice-Chairman, and a Secretary. 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, elect a successor for the unexpired term. The Secretary shall receive such compensation as may be fixed by the Board.

**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 report to the Board of Education and Legislature 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 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.

The Secretary shall keep a record of the proceedings of the Board, shall file and preserve carefully all papers and documents pertaining to the business and proceedings of the Board, and shall perform such other cognate duties as shall be provided by the Board.

### ARTICLE III

#### Standing Committees and Their Duties

**Section 1. List of standing committees.**—The following standing committees shall be appointed by the Chairman, by and with the advice and consent of the Board:

- Executive Committee.
- Committee on Finance.
- Auditing Committee.
- Committee on Buildings and Grounds.
- Committee on Complaints and Grievances.
- Legislative Committee.
- Land Committee.

**Sec. 2. Term of office of standing committees.**—The standing committees shall remain as constituted (unless a vacancy shall be caused by death or refusal of some member of the committee to act) until the January meeting of the Board in each odd-numbered year, at which time, and every two years thereafter, the said committee shall again be constituted by the Chairman, as provided in the preceding section.

**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 said appointment, and, if confirmed, the appointment shall stand until the time for reconstituting the standing committees as herein provided.

**Sec. 4. 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 also, 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 is to be requested,

in sending recommendations for the approval of the Executive Committee between meetings, to forward a copy to each of the other members of the Board except in the case of transfer items amounting only to \$500 or less.

**Sec. 5. Duties of the Finance Committee.**—The Finance Committee shall consist of three members. To this Committee shall be referred all questions involving the financial support of the University and matters cognate thereto which the Board may desire to be referred.

**Sec. 6. Duties of the Auditing Committee.**—The Auditing Committee shall consist of two members. This Committee shall have power to select a professional auditor 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.

**Sec. 7. Duties of the Committee on Buildings and Grounds.**—The Committee on Buildings and Grounds shall consist of three members. To this Committee shall be referred questions relating to the buildings and grounds of the Main University at Austin, of the Medical Branch at Galveston, and of the College of Mines and Metallurgy at El Paso, and other cognate matters. It shall be the duty of this Committee, upon authorization of the Board, 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. All matters involving ordinary repairs, changes, adjustments, and improvements for the purpose of putting and keeping in good condition and efficient use the buildings, grounds, and equipment of the University are committed to the President, who is empowered to delegate these duties to the Comptroller, who shall from time to time make report of his action in such matters to the President.

**Sec. 8. Duties of the Committee on Complaints and Grievances.** The Committee on Complaints and Grievances shall consist of three members. To this Committee shall be referred all matters relating to any complaints or charges concerning the conduct of any member of the faculty or of any employee of the University, with power to examine into 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 may be 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.

**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, 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, in writing, all action taken by it, with such suggestions and recommendations as it may deem best.

**Sec. 10. Duties of the Land Committee.**—The Land Committee shall consist of three members. It shall have immediate supervision of the work of the Land Agent (who shall be appointed upon recommendation of the Committee); it is authorized to make sales and leases of University lands, forwarding recommendations to the Chairman of the Board, who will sign and execute all deeds and leases, and to cancel leases; it shall pass upon all rebates or refunds; it shall see that the records of the Land Agent are correctly and safely kept and that his reports are full and accurate and are promptly filed as directed by the Board; and it shall make such recommendations for improving the management of the lands as it may see fit.

#### ARTICLE IV

##### Rules of Procedure and Order of Business

**Section 1. Rules of procedure.**—The rules laid down in Cushing's *Manual of Parliamentary Law*, when not in conflict with any of the provisions of this article, are hereby adopted as the law of procedure for the government of the Board when in session.

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

1. Reading of minutes of preceding meeting.
2. Report of the President.
3. Reports of standing committees.
4. Reports of special committees.
5. Unfinished business.
6. New business.

**Sec. 3. Meetings to be executive.**—All meetings of the Board shall be regarded as executive unless announced by the Chairman to the contrary at the beginning of the meeting. The minutes of the Board shall not be printed, and publicity shall be given through the President or a special committee.

**Sec. 4. Matters to be referred to committees.**—The Board shall, 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, refer the same to the proper committee, which shall report its recommendations in writing.

**Sec. 5. Communications to the Board to be in writing.**—All communications to the Board from persons not members thereof, except in the case of the President, shall be in writing. No person other than the President shall be allowed to address the Board while in session unless by unanimous consent of all the members present.

The Board, except by unanimous consent and after request by the President of the University, shall not consider matters not placed in the President's hands at least one week in advance of the meeting of the Board at which action is desired.

#### ARTICLE 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 following them, are hereby repealed.

**Sec. 2. Manner of making amendments.**—Neither these by-laws nor the rules and regulations following them shall be added to or amended except by a vote of a majority of all 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 each member of the Board.

## RULES AND REGULATIONS FOR THE GOVERNMENT OF THE UNIVERSITY OF TEXAS

### ARTICLE I

#### Board of Regents

Section 1. **University policies.**—Subject only to the Federal and the State constitutions and laws, all University policies shall be determined by the Board of Regents, following in the main the practices of the best state universities and after advice from the President, and in important matters, through the President, from the general faculty or a separate faculty; and if from a separate faculty, the same shall be presented only after due notice has been given to the members of the general faculty. Such advice from a faculty should be accompanied by a summary of reasons for and against the matter proposed.

Sec. 2. **Election of University officers.**—The Board of Regents shall elect a President, and, upon his recommendation, other necessary officers.

Sec. 3. **Organization of the University.**—Upon the advice of the President, the Board shall establish colleges, schools, divisions, and departments; shall determine offices, professorships, and other positions; and shall fix salaries, confer degrees, and grant diplomas.<sup>1</sup>

Sec. 4. **Appointments, tenure, and promotions.**—All appointments, promotions, and dismissals, except as otherwise specifically provided herein, shall be made by the Board upon recommendation of the President. The Board of Regents will not appoint or retain anyone whose conduct or views are contrary to good morals, and may inquire into family history and moral character. The Board will not make appointments contrary to the Constitution and Statutes of Texas.<sup>2</sup>

No religious qualifications shall be required for admission to any office or privilege connected with the University, and no sectarian instruction shall be given therein.

The Board shall have power to remove any professor, instructor, tutor, or other officer or employee connected with the University when, in its judgment, the interests of the University shall require it.<sup>3</sup>

The term of service of instructors and of adjunct professors shall be one and two years, respectively. But the Board will desire to retain those rendering efficient service and will expect to promote them as merit and circumstances warrant. Unless otherwise stipu-

<sup>1</sup>Revised Civil Statutes of Texas, 1925, art. 2585. (See Appendix B.)  
<sup>2</sup>Constitution of the State of Texas, Art. I, sec. 4; and Revised Civil Statutes of Texas, 1925, act 2603. (See Appendices A and B.)  
<sup>3</sup>Revised Civil Statutes of Texas, 1925, art. 2585. (See Appendix B.)

lated, associate professors and professors shall be permanent officers, continuing during good behavior and satisfactory service unless dismissed for cause.

An associate professor or a professor may not be dismissed against his will until a committee of the faculty appointed by the President for the purpose shall have heard him and made investigation. The Regents before acting will have their Grievance Committee review the findings of such faculty committee, which findings shall be submitted in writing and referred to the Board.

Sec. 5. **Expenditures to be based on budget.**—Expenditures shall be made only upon appropriations made by the Board based upon a budget prepared by the President from reports of chairmen of departments and other officers, submitted to the President through the proper Dean or head of a subdivision, showing the proposed expenses to be incurred for the year.<sup>4</sup>

Sec. 6. **Rules of faculty to be approved by the Board.**—All rules and regulations, including requirements for degrees, adopted for the conduct of the University by the general faculty or by any subdivision thereof must be approved by the Board of Regents.

Sec. 7. **Anti-nepotism law.**—All University positions shall be kept strictly upon the merit basis, and whenever an appointment is made, it shall be made solely with regard to the special fitness of the appointee. Appointment of a relative of a member of the Board will not be considered.<sup>5</sup> The appointment of a relative of any other person occupying an influential position in the University is disapproved, in particular, the appointment of the son or daughter of a professor. In minor cases and in emergencies the administration of this rule shall be in the hands of the Administrative Council.

Sec. 8. **Vacations.**—Regular University positions are mainly on a twelve-months or a nine-months basis. Appointees employed on a twelve-months basis are allowed short vacations not to exceed four weeks; those on a nine-months basis are ordinarily on duty from September 15 to June 15. During the other three months those regarded as on a nine-months basis shall perform only such duties as are necessarily connected with the nine months of service.

Sec. 9. **Outside employment.**—No member of the University staff may be employed in any outside work during his term of service without the approval of the Board of Regents.

### ARTICLE II

#### Officers of Administration

Section 1. **The President.**—The President of the University shall be the expert adviser and responsible agent of the Board of Regents

<sup>4</sup>Revised Civil Statutes of Texas, 1925, art. 2594. (See Appendix B.)  
<sup>5</sup>Revised Penal Code of Texas, 1925, arts. 132 and 433. (See Appendix B.)

and the chief executive of the University. 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. All other officers, teachers, and employees shall be responsible to and under the direction of the President, and all communications between them and the Regents relating to the University shall pass through his hands with any endorsements he may deem it proper to make. He shall recommend suitable persons to fill vacancies, and is authorized to fill vacancies temporarily 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 be prepared to give the Board information regarding the competence and loyalty of officers, teachers, and employees; shall hold all of them to the full discharge of their duties; and, if in his judgment the necessity arise, shall initiate steps for the removal of any of them. He shall be a member and chairman *ex officio* of the general faculty, and of the faculty of each school and college, and shall see to the execution of all regulations. He shall appoint all faculty committees. He shall attend all 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 it lays down. At a regular meeting of the Board of Regents he shall present an annual report embodying a survey of the year in all departments, together with estimates and recommendations for the succeeding year.

Sec. 2. **The Deans.**—The Deans of the several colleges and schools shall, in the absence of the President, preside at the meetings of their respective faculties; shall see to the execution of the regulations affecting their colleges and schools; shall concern themselves with the scholastic welfare of individual students, advising, commending, reproving, and dismissing, in accordance with the scholastic regulations; and shall see that the courses of instruction are as well correlated as practicable. They shall receive from each department the reports hereinafter provided for, and shall transmit the same to the President with such recommendations and suggestions as they may deem wise. They shall make careful investigation of all nominations for promotions and appointments to their respective faculties, and shall transmit these nominations to the President, together with such information and recommendations as may enable him to make intelligent decisions. They shall certify for graduation or for other scholastic honors the candidates from their respective schools and colleges.

Each Dean shall present to the President on the first day of November of each year a complete written report of the condition of the college or school under his supervision, containing a detailed statement

of the activities for the past year and of plans and projects for the current year, appropriate statistical tables, and such other information and constructive suggestions as may be necessary for the best conduct and development of the college or school. In addition to the foregoing annual report, each Dean shall not later than the first day of March of each even-numbered year present to the President a detailed estimate of the needs of his college or school for the next succeeding legislative biennium, and not later than the first day of March of each year shall make recommendations for promotions and appointments in the faculty for the succeeding year.

The Deans shall be elected biennially by the Board of Regents, upon the nomination of the President, and shall serve for two years. In case of the resignation or the death of a Dean during the two-year term, the President shall appoint his successor for the unexpired term. In case of the disability of a Dean, or his absence on leave, the President shall appoint an Acting Dean. Each Dean shall serve on a twelve-months basis with a month's vacation, the time of the vacation to be agreed upon between the Dean and the President. The Dean of the Medical Branch and the Dean of College and Mines and Metallurgy shall each perform the duties of the deans of colleges and schools and shall represent the President in appropriate matters during the latter's absence from Galveston and El Paso.

Sec. 3. **The Dean of Student Life.**—The Dean of Student Life shall be the head of the student life staff in charge of all extra-curricular activities not assigned to some other officer. He shall be appointed by the Board of Regents upon the recommendation of the President. He shall be qualified for professorial rank. He shall be elected at the beginning of each biennium as are deans of schools and colleges and shall be on duty for twelve months. He shall keep in sympathetic touch with the students, and shall personally and in cooperation with other officers and teachers help them to become loyal, useful, and efficient citizens.

The Dean of Student Life as *ex officio* Dean of Men shall exercise general oversight with respect to the general conduct of men students. It shall be his duty to aid and advise students concerning important social and other relations growing out of their membership in the University community, encouraging them to develop a high sense of responsibility for the good name of the University as well as a sound public opinion which gives proper recognition to the conduct becoming a gentleman.

**Discipline.**—The Dean of Student Life shall be charged with the administering of discipline in the University. He shall have the assistance of the faculty committees in charge of discipline, which will make their reports to him, he being charged with the administration of penalties recommended by the committees.

The Dean of Student Life shall be responsible for the general conduct and discipline among women students. As far as possible, however, he shall exercise all authority and control over women students through the Dean of Women.

The Dean of Student Life shall have the assistance of the following faculty committees, of which he shall be a member or which shall report directly to him:

1. Committee on Discipline.
2. Committee on Student Living Accommodations.
3. Committee on Sick Students (men and women).
4. Committee on Student Social Organizations.
5. Committee on Student Social Affairs.

The student self-government association shall make its reports to the Dean of Student Life.

*University Physicians.*—Under the Dean of Student Life there shall be such physicians and nurses as the Board of Regents may find necessary. The University physicians shall serve full time and shall be nominated to the President by the Dean of Student Life.

*The Dean of Women.*—The Dean of Women shall be appointed by the Board of Regents upon the recommendation of the President. She shall be qualified for professorial rank. She shall have general oversight of all women students. In the formulation and administration of policies she shall act with the advice and consent of the Dean of Student Life. For her own use and for the use of others directly concerned, she shall keep on file such data concerning each of the women students as will be serviceable in the administration of the office of the Dean of Women. She shall make an annual report to the Dean of Student Life.

**Sec. 4. The Dean of Extension.**—The Dean of the Extension Division shall be the administrative head of all those extramural activities of the University which are now or may hereafter be assigned by the Board of Regents to the Division of Extension, and shall in general perform such duties as are assigned to the deans of colleges and schools in so far as the same may be applicable, and in particular shall endeavor to carry the benefits of the University to the people of Texas to such an extent as the resources of the University may permit. He shall be appointed biennially by the Board of Regents, upon the nomination of the President, and shall serve for two years on a twelve-months basis and make reports as do the deans of schools and colleges. He shall be qualified for professorial rank.

**Sec. 5. Chairman of the Division of the Conservation and Development of the Natural Resources of Texas.**—Each biennium the President shall designate as Chairman of the Division of the Conservation and Development of the Natural Resources of Texas one of the following: The Director or the Associate Director of the Bureau of Economic Geology, the Director of the Engineering Experiment

Station, or the Director of the Industrial Chemistry Experiment Station.

**Sec. 6. Directors of Physical Training.**—The Director of Physical Training for Men shall have charge of physical training for men required by the general faculty. He shall be responsible directly to the President. He shall also have charge of intercollegiate athletics for men.

The Director of Physical Training for Women shall have charge of physical training for women required by the general faculty. She shall be responsible directly to the President. There shall be no intercollegiate athletics for women.

The Chairman of the Faculty Committee on Athletics shall pass upon the scholastic and non-scholastic eligibility of each candidate for official athletic teams and squads (having the assistance of the Registrar's Office in collecting information), certifying a list of eligibles in quadruplicate to the Dean of Student Life, the Director of Physical Training for Men, the coach concerned of the University, and the coach of the competing institution. At the close of each Long Session, all the records of the Chairman of the Faculty Committee on Athletics relating to intercollegiate athletics shall be filed in the office of the Dean of Student Life for future reference.

Teacher-training in physical education shall be administered as a department within the School of Education.

**Sec. 7. The Director of the Summer Session.**—A Director of the Summer Session shall be appointed by the President from year to year to assist the President in administering the Summer Session. It shall be his duty to study and watch over the general policy of the Summer Session to the end that it may offer the best services to the greatest number of Texas students; to see to the formulation and submission of the annual budget; to see that information is sent out to prospective students in regard to the courses obtainable; to transmit to the President with his comments the recommendation of the Executive Committee of the Summer Session and their conclusions as to the recommendations of the Deans of the several schools and colleges of men and women for the summer school faculty; and to have general supervision over the Summer Session.

The Director shall be assisted by the Executive Committee of the Summer Session, composed of the Deans of the schools and colleges of the Main University or of a member from each school and college nominated by the Dean and approved by the President.

The full professors in each department, or the ranking professor in case there be no full professor, shall make nominations to the appropriate Dean for appointment to the Summer School faculty of the department concerned. The Deans shall bring these nominations, together with their own recommendations, to the Director and Executive Committee of the Summer Session. The Director shall then

submit all recommendations for the complete staff of the Summer Session to the President for his approval or disapproval.

**Sec. 8. The Registrar.**—The Registrar shall see to the execution of all regulations dealing with the admission of students to all colleges and schools of the University, and shall have charge of examinations not otherwise provided for, the removal of admission conditions, and the registration of students. He shall keep permanent, systematic, and convenient records, containing the class grades of each student and all other recordable information about him that he or the University may at any time need. The records shall be so kept as to enable authorized persons to obtain from them the maximum of legitimate information about the students with the minimum expenditure of time and effort. The Registrar is authorized to call upon other officers and upon teachers and students for such information as he may need for the performance of these duties. He shall be *ex officio* chairman of the Registration Committee and shall call upon such, and as many, members of the faculty to assist in registration as he may require. 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, and shall assign space for office and classroom purposes with a view to maximum efficiency and economy.

**Sec. 9. Statistician to the President.**—The Statistician to the President, in addition to performing the usual duties of that office, shall be a member of the Publications Committee of the general faculty and shall, under the regulations of the faculty, edit and supervise the preparation of all official series bulletins, including the Long Session and the Summer Session catalogues, the annual Directory, and the Final Announcement of Courses. It shall be his duty to see that these official publications are in conformity with the rules and regulations adopted by the Board of Regents.

**Sec. 10. The Auditor.**—The Auditor shall be the receiving and disbursing agent of the University for all moneys, and shall have charge of the accounting department of the institution. He shall be responsible directly to the President. 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 its branches, and in such books, under proper and appropriate headings, shall be entered and kept a full, complete, and properly classified system of accounts, showing all properties of the University of Texas, and in such manner and at all times setting forth clearly, truthfully, and fully all the assets and liabilities of the University. He shall sign and keep a carbon duplicate of all purchase requisitions. 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 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 other officially designated authority, and he shall be responsible for the proper accounting of every cent received or disbursed by him. He shall return to the Comptroller, before payment, all expense accounts of those connected with the University and all other bills against the institution wherever any of the items seem to him not in accord with the action of the Regents.

He shall prepare proper books and blanks for keeping a record of the receipts and disbursements of all moneys for which the University itself or any officer as agent for the University shall be responsible, such as the University Commons, the Woman's Building, the University Hall, rents from property belonging to the University, fees and deposits, gate receipts, et cetera, and shall have authority to require the managers to furnish him such reports and statements as may be necessary to give him a clear insight into their financial condition.

The Auditor shall enter into a bond in the sum of one hundred and fifty thousand dollars (\$150,000) 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 moneys, 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.

The Auditor shall deposit all accumulated land income in the State Treasury at intervals of not more than thirty days.

**Sec. 11. The Comptroller.**—The Comptroller shall serve as the representative of the President in the supervision of all strictly business operations of all branches of the University not specifically designated 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 the approval of the President and the Board of Regents. He shall approve, before payment by the Auditor, all bills against the institution.

*Purchase of supplies.*—The Comptroller shall supervise the purchasing of all general supplies and all materials for use in the University except materials and equipment for departments and laboratories or other purchases specifically assigned to some other officer, such as the purchase of books by the Librarian and of technical equipment by departmental chairmen; but no purchase shall be made except upon an order signed by the Comptroller, of which the latter shall keep a carbon duplicate. All purchases or work of consequence, certainly if involving as much as \$1,000, shall where practicable be made on contract let on the basis of competitive bids. The Purchasing Agent, under the supervision of the Comptroller and in coöperation 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 shops and agents under his charge, and give them out on proper requisition to the various individuals entitled thereto.

*Superintendence of buildings and grounds.*—The Comptroller, as superintendent of buildings and grounds, shall care for all buildings and grounds occupied by the University and for all residences and other leased buildings in Austin, Galveston, and El Paso, owned by the University, and shall supervise all minor improvements and repairs in connection therewith. He shall be responsible for the expenditure of funds provided for these purposes and shall arrange by contract or otherwise for such expenditure. Within the limit of the appropriations made by the Board, it shall be his duty to have repairs made in time to prevent, as far as possible, depreciation of University property. He shall also have charge of the following: (1) the heating and power plant and other services to the University buildings, including heat, light, power, water, gas, and telephone; (2) the repair shops and general store-rooms, including necessary carpenters, cabinet makers, machinists, plumbers, painters, electricians, and other repair men either under direct employ or under contract; (3) the janitors, watchmen, police, and firemen for the care and protection of the buildings of the University; (4) all physical plant and equipment belonging to the University; (5) superintendence of the grounds, roads, walks, and athletic field. In the performance of these duties, he shall advise freely with the President and with the appropriate standing committees of the general faculty.

The Comptroller shall be custodian and shall be responsible for the safe keeping of all property belonging to the University of Texas; shall keep a true and correct inventory thereof and present the same to the President before the annual October meeting of the Board of Regents; and shall have the authority to require of the chairmen of the departments, special agents, and employees, at least annually, and oftener if necessary, a full statement of the property in their immediate possession belonging to the University.

*Brackenridge lands.*—The Comptroller shall have general charge of the University lands bordering on the Colorado River, known as the Brackenridge lands. He or his representative shall care for and make such leases of the same as the Chairman of the Land Committee may endorse, but all rents therefor shall be payable to the Auditor. He shall also have charge of all residences or other property of the University in Austin which may be for lease, making leases therefor, and assuming responsibility for prompt payment to the Auditor of all rents. All leases shall be kept in the office of the Comptroller, and shall be available for inspection by the Auditor.

*Construction of new buildings.*—The Comptroller shall have supervision over the construction of buildings on the campus. In such construction he shall be assisted by the following:

1. The Building Committee of the Faculty, which shall be appointed by the President and which shall include a member of the Department of Architecture, the Comptroller, and a member of the department affected. It shall be the duty of this Committee to hold necessary hearings and make proper investigations regarding the building needs of the University and to report from time to time to the President concerning its conclusions, and to recommend to the President the order and the location for specific buildings, together with its reasons for these recommendations. During the planning and construction of new buildings, the Building Committee of the Faculty shall advise with the Comptroller in carrying out the construction of the buildings for the best interests of the University. Any changes in the plans of any building or of its permanent equipment shall be presented to the Committee for its advice and report before being approved by the Comptroller, the Committee to report within the time fixed by the Comptroller therefor.

2. The University architect, whose duties shall be those defined by his contract with the University of Texas.

3. A consulting architect, whose duties shall be those defined by his contract with the University of Texas.

4. A supervising architect, who shall have charge of repairs and modification of existing buildings, and such designing and construction as the President, with advice from the Comptroller, may approve.

5. The clerk of the works, or superintendent of construction, whose duties shall be:

- (a) 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.

- (b) To report promptly in writing to the architects for their decision any changes, adjustments, or alterations necessary or required, with the reason for the same fully explained.

- (c) To make minor adjustments when the same are necessary in order not to delay progress on the building.

(d) To notify the architects several days in advance of the pouring of any concrete and the starting of the face brick work.

(e) To notify the architect immediately when subcontractors report for their part of the work.

(f) To send the architects daily written reports regarding the progress of the work, the same 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 a copy.

(g) Where a superintendent does not employ his full time on a 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).

6. State Inspector of Masonry in the official discharge of his duties.

During the planning of new buildings, the Comptroller shall advise with and aid the architects. He shall receive the reports of the University architect and consulting architect, and after consultation with the Chairman of the Faculty Building Committee, and, when necessary, with the executives of the departments concerned, shall transmit such reports, together with his recommendations, to the President. The supervision of construction shall be conducted in accordance with existing or future contracts between the Board of Regents and the University architect. Whether supervision be by the architect or by a supervisor other than the architect, appointed by the Comptroller, the report shall be made directly to the office of the Comptroller.

The Comptroller shall have control of and be responsible for the operation of the Stenographic Bureau.

The Comptroller shall have general supervision of the University Press, and shall assist in determining what printing shall be performed by the University directly, and what shall be performed by the University under contract.

The Comptroller shall make nominations to the President for positions in his division.

Sec. 12. **The Librarian.**—The Librarian shall have charge of and be responsible for the proper use and condition of the Library. All books, pamphlets, maps, etc. (other than account books of record), belonging to the University, shall be deemed to belong to the University Library. All reference books and current periodicals, magazines, and newspapers shall be made as easy of access as practicable to all patrons of the Library, and no limitations not necessary to their preservation shall be placed upon their free use. Other books, except such as are referred to in the next paragraph, shall be delivered for use only upon a proper call.

Books which are purely technical and relate to the work of a single department or of a single college or school may be taken

out by that department or college or school under such regulations and for such times as the Librarian may determine; but the Librarian shall not thereby cease to be responsible for their safe keeping and proper use.

The Librarian shall enforce order in the reading rooms and throughout the Library, reporting to the Dean of Student Life such breaches as might call for suspension. The Librarian shall make an annual report to the President on the first day of March, and shall present biennial estimates on the first day of March of each even-numbered year.

Sec. 13. **The Administrative Council.**—The Administrative Council shall consist of (1) nine members, at least five being Deans, to be chosen and appointed by the President, to serve for not more than one year, their terms expiring on the thirty-first day of August next following the date of their appointment, and (2) such other member or members of the faculty as may be summoned by the President to a particular meeting of the Council. Those appointed for a year shall be designated as annual members of the Council; those summoned to a particular meeting but not designated as annual members shall be known as invited members. At any meeting both annual and invited members shall in the case of each individual member have voice and vote. The committee shall hold regular semi-monthly meetings during the Long Session of the University and at other times by the call of the President or on the request of two members. The officers of the Council shall be the President as chairman *ex officio* and a secretary to be elected by the committee, both of whom shall perform the usual duties of such offices. The secretary shall keep minutes of the meetings and after each meeting shall furnish a copy thereof to each member of the Council and shall file a copy in the office of the President.

From term to term, or quarter to quarter, the President shall designate one of the annual members of the Council to serve as Acting President in the absence of the President during such term or quarter.

It is not the intention of the Board of Regents to define in detail the duties of the Administrative Council further than that it shall act in an advisory capacity to the President upon matters of University policy and in matters relating to the best interests and development of the University as a whole. In addition to these duties, the Administrative Council shall act as the executive committee of the general faculty.

Sec. 14. **The Administrative Councils for the Medical Branch and the College of Mines and Metallurgy.**—The Administrative Councils for the Medical Branch and the College of Mines and Metallurgy shall consist of the respective executive committees of these branches, appointed by the President after nominations by the Deans.

## ARTICLE III

## Faculties

Section 1. **General faculty.**—Subject to the general control of the Board of Regents and the authority it has vested in administrative officers, the general charge of the Main University is entrusted to the general faculty of the Main University and its appropriate subdivisions; the general charge of the Medical Branch, to the faculty of that branch; and the general charge of the College of Mines and Metallurgy, to the faculty of that college. Each of these bodies shall consist of all those giving instruction and carrying on the work incident to instruction and investigation. Within the general faculty there shall be members with vote and members without vote. Members with vote shall be those of the rank of instructor of three years' service, or above, and such officers as may be designated by the Regents upon recommendation of the President.

Sec. 2. **Separate faculties.**—Each college or school of the Main University, including the College of Arts and Sciences, shall be under the immediate charge of its college or school faculty. The faculty of the College of Arts and Sciences shall consist of the members of the general faculty who belong to this college, and of such other persons as the Board of Regents may designate. The faculty of the Graduate School shall consist of those appointed thereto by the President upon recommendation and with the full advice of the full professors within the department concerned, transmitted through the appropriate undergraduate Dean and through the Dean of the Graduate School. In choosing members of the graduate faculty, the President and all called upon herein to advise him shall consider (1) graduating training, (2) length and character of teaching experience, (3) publications, particularly those following the doctor's thesis, (4) membership in learned societies, (5) invitations to address learned societies, (6) aids received from research grants, etc.

The faculty of each of the other colleges or schools of the Main University shall consist of the members of the college or school who are members of the general faculty; of other teachers with the rank of instructor in the department who have served as such for a year or more; of one teacher, to be designated by the President, for each full course required from outside the college or school for any degree offered in the college or school; and of such other persons as the Board of Regents may designate. All members of each faculty shall have a voice in its deliberations; but only those shall have a right to vote who have a right to vote in the general faculty. Legislation affecting exclusively any college or school shall originate in the faculty of that college or school; legislation affecting more than one college or school shall originate in the general faculty or in the faculty of

any college or school concerned; but no legislation shall be effective until approved by the general faculty (or, at its discretion, by its executive committee), or, within the scope of its jurisdiction, by the graduate faculty, and where necessary by the Board of Regents.

The graduate faculty shall have exclusive jurisdiction over the requirements for the degree of Master of Arts, Master of Business Administration, Master of Journalism, Master of Science in Engineering, and Doctor of Philosophy, and other graduate degrees authorized by the Board of Regents. The graduate faculty shall have jurisdiction over such matters as requirements for admission to graduate standing and to candidacy for graduate degrees, the requirements for graduate degrees, the awarding of scholarships and fellowships to graduate students, research publications, research grants, and other matters properly within the scope of the graduate faculty. The graduate faculty may determine what committees it will require to be appointed by the President. The graduate faculty shall adopt and publish necessary regulations. It shall set and publish dates for regular meetings.

The instructional staff of the Graduate School shall include, in addition to the members of the graduate faculty, all members of the general faculty and of the faculty of the Medical Branch who give courses of instruction which are accepted by the graduate faculty for graduate degrees.

## ARTICLE IV

## Departments

Section 1. **How created.**—The various colleges and schools shall consist of such departments as may from time to time be created by the Board of Regents.

Sec. 2. **Departmental staff.**—The staff of each department shall consist of all members who are concerned with the conduct of its work. Those members of the staff who hold a rank above that of assistant shall constitute the faculty of the department. All members of the departmental faculty shall have a vote who have a vote in the general faculty.

Sec. 3. **Departmental chairmen.**—The chairman of each department, appointed by the Board of Regents upon nomination by the President to serve for two years, shall preside at its meetings, transmit its recommendations to the President through the Dean of the college or school, prepare under its direction the annual report of the department, and, in general, serve as the department's executive officer. The departments shall administer and carry out the policies defined by their respective schools or colleges, the general faculty, and the Board of Regents.

Sec. 4. **Meeting of departmental faculties.**—The faculty of each department shall hold stated meetings at least once each term, and may meet at other times by the call of the Chairman, or on written request of a majority of its members. It shall have power to pass regulations (subject to the rules passed by the Regents and the general faculty and to the approval of the President) to govern the internal working of the department, propose new courses to the Course Committee, and make recommendations touching equipment and such other matters as may affect the welfare of the department, except in respect to salaries and promotions.

Sec. 5. **Salaries and promotions.**—It shall be the duty of all the full professors of a department conjointly, or of its ranking professor in case there is no full professor, to make annually to the President, through the Dean of the college or school, such recommendations touching salaries and promotions in the department as may be deemed wise, and to recommend, after conference with the other members of the department staff, suitable persons for appointment to vacant positions, both for the Long Session faculty and the Summer Session faculty.

## ARTICLE V

### Miscellaneous

Section 1. **Fiscal year.**—The fiscal year of the University shall begin on the first day of September in each year, and shall end on the thirty-first day of August next ensuing.

Sec. 2. **Property inventories.**—The Chairman of each department shall keep an inventory book or file containing a list in detail of all apparatus and other property belonging to the department. In addition to keeping this record, the Chairman of each department shall present to the Comptroller, 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.

Sec. 3. **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, or with the distinct approval of the Comptroller of the University.

Sec. 4. **Announcement of courses.**—Since the number of courses offered by a department materially affects the budget, courses may not be announced without the approval of the President. In general,

a Freshman or Sophomore class or section should not be continued unless it has a registration of fifteen, a Junior class unless it has twelve, nor a Senior class unless it has eight. Exception should be made in those cases where only one Freshman, Sophomore, Junior, or Senior course is offered by a department. Strictly Graduate courses should not be announced so numerous as to compete with one another within a department, but should otherwise not be restricted in reference to number registered in each course. If, however, the President is convinced that the registration under changed conditions will exceed the above limits, he may permit the announcement of courses for the next session, provided that, in the event the registration does not come up to his expectations, he may within two weeks of the beginning of the term order the course discontinued.

Subject to the approval of the department, the Dean concerned, and the President, a professor may, in addition to his regular work, conduct a course in which the registration falls below the limits set above.

Sec. 5. **Schedule of classes.**—In order to meet the demand for space and to secure economy in the future building program of the University, the Schedule Committee of the general faculty, in so far as is practicable, shall list the same number of lectures and of laboratory periods in the afternoon periods as in the forenoon periods. Classes shall be scheduled from 8 A.M. to 5 P.M.

Sec. 6. **Office hours.**—Each full-time member of the teaching staff shall be in his office, accessible to students, not less than one hour each day. Office hours shall be announced in the Directory and in the Final Announcement of Courses, and shall be posted on the office door. It is as important to keep office hours promptly and regularly as it is to meet classes.

Sec. 7. **Employees of student organizations.**—All persons employed by student organizations on salary shall be approved by the Board of Regents both as to salary and as to qualifications.

## APPENDIX A—CONSTITUTIONAL PROVISIONS RELATING TO THE UNIVERSITY

### ARTICLE III

#### Legislative Department

Section 48. 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.

### ARTICLE VII

#### Education

Section 10. 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.

Sec. 11. In order to enable the Legislature to perform the duties set forth in the foregoing section, it is hereby declared that 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, shall constitute and become a permanent university fund. And the same as realized and received into the Treasury of the State (together with such sum belonging to the fund, as may now be in the Treasury), shall be invested in bonds of the State of Texas, if the same can be obtained; if not, then in United States bonds; 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.

Sec. 12. 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.

Sec. 13. 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 \$40,000, 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.

Sec. 14. 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.

Sec. 15. 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, 1,000,000 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.

### ARTICLE XVI

#### General Provisions

Section 30a. The Legislature may provide by law that the members of the Board of Regents of the State University and 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. [Adopted by election November 5, 1912; by proclamation December 30, 1912.]

**APPENDIX B—LAWS RELATING TO THE UNIVERSITY**

**Revised Civil Statutes, 1925**

**TITLE 49—EDUCATION—PUBLIC**

**Chapter One—University of Texas**

**1. BOARD OF REGENTS**

	Article		Article
The government of the University	2584	Admission fee	2587
Powers	2585	Annual report	2588
May remove officers	2586	Expenses	2589

**Art. 2584. The government of the University.**—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. [Acts 1913, p. 191.]

**Art. 2585. [2639] [3846] Powers.**—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.

**Art. 2586. [2640] [3848] May remove officers.**—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.

**Art. 2587. [2641] [3849] Admission fee.**—The fee of admission to the University shall never exceed \$30. It shall be open to all persons of both sexes in this State on equal terms, without charge for tuition, under the regulations prescribed by the Regents, and to all others under such regulations as the Board of Regents may prescribe. [Id.]

**Art. 2588. [2649] [3854] Annual report.**—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. [Acts 1881, p. 80; G.L., Vol. 9, p. 172.]

**Art. 2589. [2651] [3856] Expenses.**—The reasonable expenses incurred by the Board of Regents and visitation in the discharge of their duties shall be paid from the available University fund.

**2. FUNDS AND PROPERTIES**

	Article		Article
Permanent fund	2590	Control of mineral lands	2597
Use	2591	Duty of Land Commissioner	2598
Improvements	2592	Sales to railroad; application	2599
Contracts, how made	2593	Railway sales; patent	2600
Distribution of funds	2593a	Condition of sale	2601
Expenditures	2594	Forfeiture	2602
Donations	2595	Right to lands; limitations	2603
Control of lands	2596		

**Art. 2590. [2626] [3836] Permanent fund.**—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 1,000,000 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. [Const. Art. 5, Secs. 10-15; Acts 1858, p. 148; G.L., Vol. 4, p. 1020; P.D. 3573.]

**Art. 2591. [2627] [3837] Use.**—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. [Id.]

Art. 2592. [2642] **Improvements.**—The Board of Regents of the University of Texas shall expend the interest which has heretofore accrued and that which may hereafter accrue on the permanent University fund, and also all other income of said fund and all income resulting from the use of the University lands, including all proceeds from grazing and mineral leases which proceeds are now in the State Treasury or may be hereafter received from such leases, for permanent improvements to be erected on the campus of the University of Texas or at any of the branches of the University, and the Board of Regents may pledge said interest and income from a term of not exceeding fifteen years to make said funds immediately available. Any contract for the expenditure of said interest and income for any other purpose shall be void. No lease of said land shall be made for a period of more than ten years during the fifteen-year period. [Acts 1925, p. 415.]

Art. 2593. **Contracts, how made.**—All contracts, with architects, plan makers, landscapers, or draftsmen, or with any other person, firm or corporations 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 in 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.

Art. 2593a. **Distribution of funds.**—The proceeds arising from activities which effect lands belonging to the public free school fund or the permanent fund of the several asylums, shall be credited to the permanent funds of said respective institutions. All proceeds paid or collected from activities under this law affecting the lands belonging to the permanent fund of the University of Texas shall be credited by the State Treasury to the available fund of such institution, and 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. All proceeds arising from the activities affecting lands other than those belonging in the public free school fund, the University and the several asylums, shall be credited to the same fund. [Id., p. 415.]

Art. 2594. [2644] [3852] **Expenditures.**—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. [Id.; Acts 1911, p. 90.]

Art. 2595. [2628-32] **Donations.**—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 trustees 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. [Acts 1889, p. 143; G.L. Vol. 3, p. 1117.]

Art. 2596. [2633] [4263a] **Control of lands.**—The Board of Regents are invested with the sole and exclusive management and control of the lands set aside and appropriated to, or acquired by the University of Texas, with the right to sell, lease, or otherwise manage, control and use the same in any manner, and at such prices and under such terms and conditions as they deem best for the interest of the University, not in conflict with the State Constitution; provided, such land shall not be sold at a less price per acre than that at which the same class of other public lands may be sold under the statutes. [Acts 1895, p. 19; G.L. Vol. 10, p. 749.]

Art. 2597. [2634] **Control of mineral lands.**—The Board of Regents are invested with the sole and exclusive management and control of all mineral lands within the domain appropriated, set aside or acquired by the University of Texas; and said Board of Regents is hereby empowered and authorized to sell, lease, manage and control said mineral lands belonging to said University as may seem best to them for the interest of the University; and they are further empowered with authority to explore and have explored and develop said mineral lands and to make any contract with any persons, whosoever for the exploration and development of said mineral lands, and pay the expenses for such exploration or development out of the proceeds of the lease or sale of said land. [Acts 1901, p. 266.]

Art. 2598. [2635] [4263b] **Duty of Land Commissioner.**—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. [Acts 1895, p. 19; G.L. Vol. 10, p. 149.]

Art. 2599. [3439] **Sales to railroad; application.**—Any railroad company owning, operating or constructing a line of railway in this State, desiring to purchase any portion of the University land in this State except mineral lands under provisions of this and the three succeeding articles for the location and establishment thereon of *town sites, depots, stations, yards, divisional terminals, shops, round-houses or water stations* shall file an application to purchase each tract so desired, supported by the affidavit of its president, vice-president or chief engineer which application shall:

1. Describe by metes and bounds or otherwise sufficient to satisfy the Board of Regents of the particular tract of land that it desires to purchase.

2. Show that said land is desired and needed by said railway company for some one or more of the purposes for which the sale of such lands are authorized by this article, and that it is the intention of said railway company to speedily use said land for such purposes.

3. Show that said application is not made for the use or benefit of any other person or corporation than the applicant, nor in collusion with, or in the interest of any other person or corporation whatsoever.

4. Be accompanied by a plat and map, together with the field notes of each tract of land so applied for, if required. [Acts, 1909, p. 18; Acts 1919, p. 312.]

Art. 2600. [5440] **Railway sales; patent.**—When any such application is so filed, said Board shall investigate the matter therein set forth; and, if after such investigation they shall be satisfied that the statements made in such application are true, they shall then determine and fix the fair and reasonable value of such tracts of land, regardless of any lease thereon, unless the lessee shall have land, regardless of improvements thereon, in which event the consent of the lessee shall be first obtained, and shall advise the applicant of the price so fixed, and, if said railway company desires said land at the price so fixed, it shall pay therefor in cash to the State Treasurer the price so fixed by said Board of Regents, and the Treasurer shall give his receipt showing such payment, whereupon there shall be issued and delivered to the said railway company a patent for said tract or tracts of land, to be properly executed by the Governor and the Land Commissioner upon the payment of the patent fee therefor. [Acts 1908, p. 127.]

Art. 2601. [5441] **Condition of sale.**—All land purchased by or for any one railway company under the provisions of the law shall be sold subject to the following conditions and limitations:

1. If such land is desired for the purpose of the location and establishment thereon of depots, stations, yards, divisional terminals, shops or round-houses, said railway company shall be permitted to purchase only such amount of land adjoining the line of road, tracks or right of way as may be necessary for the proper operation and maintenance of said railway which fact shall be determined by said Board of Regents, and if desired by them, they may for that purpose, have the advice and assistance of the engineer of the Railroad Commission of Texas.

2. If said land applied for be desired for water stations at points on or near said line of railway where it is necessary to construct and maintain a dam and reservoir for the impounding of rain water, for the use and operation of said railway, sufficient land may be sold for such purposes as may be necessary for the proper construction, preservation and maintenance of such water station, not to exceed 640 acres, for each water station. Each tract sold for such purpose, must be within three miles of the line of road of said railway company, and must be at least eight miles distant from any other tract sold to the same railway company for the same purpose; and, when said tract of land does not adjoin said line of road of said railway company, said railway shall have the right of way over any University

lands for its water mains from its said water station to its line of railway.

3. If said land is sold for town site purposes, not exceeding 320 acres shall be sold therefor, and such tract must be at least eight miles distant from any other tract of land sold for the same purpose to said railway company, and, after such sale, no other tract or tracts of land shall ever be sold to said railway company, or its assigns, for town site purposes, adjoining said tract sold for such purpose. All lands sold for town sites must either adjoin said railway tracks, line of road or right of way, or adjoin land sold under the provisions hereof to said railway company for depots, stations, yards, divisional terminals, shops or round-houses. All such lands shall be in good faith placed upon the market for sale, and said railway company shall alienate the title to said lands so sold to said railway company within the term of ten years after acquiring title to same. [Acts 1905, p. 58.]

Art. 2602. [5443] **Forfeiture.**—If any railway company fails to use said land for the purpose for which the same was sold, within five years from the date of the patent for each tract of land sold, said land and all improvements thereon belonging to said railway company shall revert to the University fund. Whenever any land is sold to railway companies for the purpose mentioned in this chapter and shall be used for any other purposes than those mentioned in this chapter, then such land shall revert to the State. [Acts 1903, p. 127.]

Art. 2603. [5458-9] **Right to lands; limitation.**—Any person claiming the right to purchase or lease any lands belonging to the State University which have been sold or leased to any other person under any provision of the law authorizing the sale or lease of any such lands, shall bring his suit therefor within one year after the date of the award of such sale or lease and not thereafter. If no such suit has been instituted within said period it shall be conclusive evidence that each requirement of law with reference to the sale or lease of such land was complied with. Nothing in this article shall affect the State in any action or proceeding it may bring in respect to said lands. [Acts 1905, p. 35; Acts 1921, p. 118.]

### 3. GENERAL PROVISIONS

	Article	Article
Non-sectarian	2604	2606
Board of visitors	2605	

Art. 2604. [2645] [3853] **Non-sectarian.**—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. [Acts 1881, p. 80; G.L. Vol. 9, p. 172.]

Art. 2605. [2650] [3855] **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. [Id.]

Art. 2606. [2652-4] **Manuscript bonds.**—The Governor is authorized and directed to have issued manuscript bonds of the State of Texas to be sold or exchanged at par for the permanent University fund at any time when there is on hand in cash any reasonable amount of such funds not less than \$5,000. Said bonds shall be of such denomination as the Governor may direct, shall be redeemable at the pleasure of the State, and shall bear 5 per cent interest payable annually at the State Treasury the first day of March of each year. Said bonds shall recite the title and date of passage of the Act of 1889, p. 81, shall be signed by the Governor and Treasurer and countersigned by the Comptroller, and shall be registered in the office of the State Treasurer. After said bonds have been registered, the Governor shall offer said bonds to the State Board as an investment for the permanent University fund then on hand in cash which are by law authorized to be invested. If the State Board takes said bonds, the Treasurer and Comptroller shall make the proper entry, showing the facts of the transaction and the necessary transfer of such fund on their books. If said Board shall not take said bonds thus offered, the same shall be destroyed and cancelled and of no effect whatever. [Acts 1889, p. 81; G.L. Vol. 9, p. 1109.]

### Chapter Seven—School of Mines and Metallurgy

Art. 2633. **Government.**—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. [Acts 1913, p. 427; Acts 1919, p. 92.]

Art. 2634. **Purpose of school.**—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, minerology, 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. [Id.]

Art. 2635. **Faculty.**—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. The regular course shall extend over a period of two years. [Acts 1913, p. 428.]

Art. 2636. **Tuition.**—The Board of Regents shall fix the terms and tuition to be charged students in this school, and all moneys received from said tuition or in any way from said school, over and above that necessary for the actual maintenance and carrying on of said school shall be paid into the State Treasury. [Id.]

Art. 2637. **Annual reports.**—At the close of each school year the Board of Regents shall require the faculty of said school to report to them the workings and progress of said school and the Board of Regents in turn shall make a detailed report to the Governor exhibiting the progress, condition, and wants of the several departments of instruction in said school, the course of study in each and the number and names of the officers and students, the amount of receipts and disbursements, together with the nature, cost and results of all important experiments and investigations, and such other matters, including special industrial and economical statistics as may be thought useful. The Board of Regents shall cause the same to be printed for the use of the Legislature and the people of the State, and shall cause one copy of same to be transmitted by mail to the Secretary of the Interior and one copy to the Commissioner of Labor at Washington, and one copy to the Commissioner of Labor and Chief Mine Inspector of this State. [Id.]

## Revised Penal Code, 1925

### Chapter Eight—Miscellaneous Offenses—Nepotism

Art. 432. [381] **"Nepotism."**—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. [Acts 1909, p. 85; Acts 1915, p. 149.]

Art. 433 [382] **Officers included.**—The inhibitions set forth in this law shall apply to and include the Governor, Lieutenant Governor, Speaker of the House of Representatives, Railroad Commissioners, head of departments of the State Government, judges and members of any and all boards and courts established by or under the authority of any general or special law of this State, members of the Legislature, mayors, commissioners, recorders, aldermen and members of school boards of incorporated cities and towns, 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. [Acts 1909, p. 86.]