

# OMISSION

Pages 931-1091, 1136-1194

*A. Ruth Baker*

SIGNATURE OF OPERATOR

## MEETING NO. 622

APRIL 3, 1964. -- Pursuant to notice as set out below, the Board of Regents convened in special session in Room 212, Main Building, Austin, Texas, on Friday, April 4, 1964, at 11:05 a. m.

NOTICE OF SPECIAL MEETING OF BOARD  
OF REGENTS OF THE UNIVERSITY OF TEXAS

NOTICE IS HEREBY GIVEN That, in accordance with the provisions of the Rules and Regulations, Part One, Chapter I, Section 5.2, a special meeting of the Board of Regents of The University of Texas will be held at the place, on the date, and at the hour, as follows, to wit:

PLACE: Regents' Room, Main Building 212,  
Main University, Austin, Texas

DATE: April 3, 1964 (Friday)

HOUR: 11:00 a. m. -- Meeting of the Board

for the following purposes:

To review the policies of The University of Texas concerning outside employment of its officers, faculties, and staffs; to receive and consider the recommendations of the Chancellor and the Dean of the School of Law with respect thereto; and to make such changes in the Regents' Rules and Regulations or to establish such policies if any as may appear advisable.

/S/

W. W. Heath  
Chairman, Board of Regents  
The University of Texas

Dated March 30, 1964

ATTENDANCE. --

<u>Present</u>	<u>Absent</u>
Chairman Heath, presiding	Vice-Chairman McNeese -
Regent Brenan	Excused*
Regent Erwin	Regent Connally - Excused
Regent (Mrs.) Johnson	Regent Redditt - Excused
Regent Madden	
Regent Olan	
Chancellor Ransom	
Secretary Thedford	

\* Vice-Chairman McNeese was in attendance upon the meeting of the Committee of the Whole but left at 10:45 a. m., prior to the meeting of the Board.

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Also present among the University personnel were the following:

Mr. Lanier Cox, Vice-Chancellor (Administrative Services)  
Doctor Norman Hackerman, Vice-Chancellor (Academic Affairs)  
Doctor L. D. Haskew, Vice-Chancellor (Developmental Affairs)  
Mr. Graves Landrum, Assistant to the Chancellor  
Mr. Burnell Waldrep, Land and Trust Attorney

The following Press Representatives were in attendance:

David Anderson, representing United Press International  
Mrs. Anita Brewer, representing the Austin American-Statesman  
Miss Mary Rice Brogan, representing the Houston Chronicle  
Lee Jones, representing the Associated Press  
Dave McNeely, representing the Daily Texan  
Richard M. Morehead, representing the Dallas News

INVOCATION. --Regent Olan offered the invocation.

#### COMMITTEE OF THE WHOLE

Chairman Heath presented the following report of the Committee of the Whole which had convened prior to this meeting:

STATEMENT OF BOARD RE LEAVE OF ABSENCE, DOCTOR HUBERT WINSTON SMITH. -- The Committee of the Whole has approved the recommendations of Dean Page Keeton of The University of Texas Law School and Chancellor Harry Ransom that Dr. Hubert Winston Smith, full-time professor of law in The University of Texas Law School, be granted a leave of absence without pay, and has authorized this statement.

It is elementary that the first responsibility and loyalty of the Board of Regents is to The University of Texas and its students. All other considerations, however important they may be, are secondary.

By the same token, the primary responsibility and loyalty of each officer, faculty member and employee of The University of Texas must be to the University and its student body. In any case where a conflict with such primary responsibility and loyalty arises and a regent, officer, faculty member or employee feels impelled to proceed in a manner contrary to his responsibilities to the University and to the student body, he or she should immediately tender a resignation or file an application for a leave of absence without pay.

The Board is pleased that Dr. Hubert Winston Smith recognizes that his acceptance of the responsibilities as chief counsel in the Jack Ruby case will make it impossible for him to simultaneously adequately discharge his responsibilities and work load in the School of Law, has declined to accept pay from The University of Texas during such period, and has requested a leave of absence to be continued at our pleasure and upon terms agreeable to us.

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Dean Keeton assures us that Dr. Smith's work assignments will be redistributed in a manner which will not result adversely to the School of Law, the faculty or the students.

The effective date of the leave of absence which is satisfactory to Dr. Smith is April 15, 1964, in order to ensure a smooth transfer of his law school work load, and the leave of absence will continue until the beginning of the first semester of the School of Law following the termination of his connection with the Ruby case.

Such leave of absence was granted subject to the policies of The University of Texas and upon terms that:

1. None of the property, facilities or employees of The University of Texas, nor of any University of Texas affiliated organization, be utilized in any manner to raise money for any non-University of Texas purpose or in connection with or aid to any private employment (paid or unpaid), business or venture.
2. Without first severing completely his connection with The University of Texas, he may not utilize any organization of an academic nature or title which might reasonably be confused by prospective donors or the public with The University of Texas or any University of Texas affiliated organization because of similarity of name or otherwise to solicit funds or to in any way, financially or otherwise, assist in any non-University of Texas matter, unless he has received prior written approval from his Dean, the Chancellor and the Board of Regents.
3. None of the property, facilities or employees of the University, or of any University affiliated organization, may be used while he is on leave of absence without pay, except to the same extent and in the same manner as a person not employed by the University. Students may not be asked to perform services except for reasonable pay.
4. He shall at all times during said leave of absence act as a private citizen and strive to keep the name of the University out of any private employment (paid or unpaid), business or venture, in which he may engage.

Such exceptions to the above terms may be granted by the Dean of the Law School with the prior approval of the Chancellor as may appear to him necessary to enable him as Dean to transfer Dr. Smith's duties at the law school in an orderly manner without injustice to the faculty or the students.

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The Board of Regents further, after reviewing existing policies concerning outside employment of University faculty and staff members, requested Chancellor Ransom to make a study of existing policies in consultation with an appropriate faculty committee, and to make recommendations to the Board for its consideration at an early meeting of their recodification, with such changes if any as may appear advisable.

Adoption of Report. -- The foregoing report of the Committee of the Whole was unanimously approved upon motion of Regent Brennan, seconded by Regent Madden.

STATEMENT BY CHANCELLOR RANSOM RE OUTSIDE EMPLOYMENT, CONSULTATION, AND INDEPENDENT CREATIVE ACTIVITY. -- Chancellor Ransom presented the following brief additional statement:

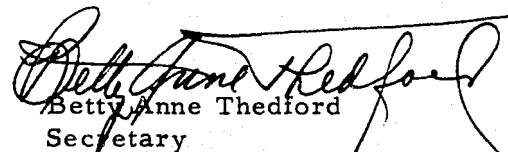
Questions of outside employment, consultation, and independent creative activity have been the subject of discussion among American universities.

In general, The University of Texas has pursued since 1946 a workable policy. All such policies have been regularly reviewed.

I am sure that the Faculty Committee concerned, the Administration, and the Regents will be firmly agreed on the point that in reviewing these policies to observe carefully the proprieties, regulations, and laws governing such activities, the University will guarantee to all its members those kinds of opportunity which are essential to every great university.

Chairman Heath thanked Chancellor Ransom and stated, "I am sure that this Board concurs in the statement you have just made."

ADJOURNMENT. -- The Board having completed the business for which it convened adjourned upon motion of Regent Brennan, seconded by Regent Olan.

  
Betty Anne Thedford  
Secretary