STATE BOARD OF HIGHER EDUCATION
MINUTES OF MEETING HELD AT
HEATHMAN HOTEL, PORTLAND, OREGON
January 25, 1938

MEETING #82
A regular meeting of the State Board of Higher Education of the State of Oregon was held at the Heathman Hotel, Portland, Oregon, at 10:10 a.m. on January 25, 1938.

ROLL CALL
The meeting was called to order by the President of the Board, Willard L. Marks, and on roll call the following answered present:

C. A. Brand          Walter E. Pearson
F. E. Callister      E. C. Pease
Willard L. Marks     Robert W. Ruhl
Herman Oliver        E. C. Sammons

Mrs. Sackett was not present on roll call but came in later.

There were also present Frederick M. Hunter, Chancellor; Charles D. Byrne, Secretary of the Board; President George W. Peavy of Oregon State College; President C. V. Boyer of the University of Oregon; President C. A. Howard of Eastern Oregon Normal School; President Walter Redford of Southern Oregon Normal School; and President J. A. Churchill of Oregon Normal School.

MINUTES APPROVED
The Board voted to dispense with the reading of the minutes of the last meeting on December 14, and approved the minutes of this meeting as they appeared in the docket.

REPORT OF CURRICULA COMMITTEE
C. A. Brand, Chairman of the Curricula Committee, made the following report:

"The Curricula Committee met yesterday forenoon to consider the proposed curricular adjustments for the several institutions. All members of the Curricula Committee were present and Mr. Marks and Mr. Callister sat in with the Committee during part of the meeting. In addition, the Chancellor and the executives of the several institutions were present.

"The Committee gave consideration to the proposed course changes for each of the institutions, including the summer sessions and approved all the changes proposed by the several institutions which had the approval of the Interinstitutional Curricula Committee and the Chancellor, with the following modifications and interpretations:

1. The Committee approved the same three courses for the summer sessions at Eastern Oregon Normal School as were approved for the Southern Oregon Normal School Summer Session, as follows:

   H 334s. Health and Safety Education. Three hours.
   Mus 264s. The Teaching of Music Appreciation. Three hours.
   Mus 339s. Junior High School Music. Three hours."
2. The course, Education 334, Methods in Teaching Composition, proposed by the School of Education at the University was tentatively approved subject to a conference by the Chancellor, President Boyer and Dean Jewell to determine whether or not there is duplication with a methods course in the Department of English.

3. The Committee approved a modification in the Inter-institutional Curricula Report whereby the State College will be permitted to offer one section of Physical Education 150, General Hygiene, for three credits instead of two credits in the spring term to meet the requirements of the Nursing Education curricula as requested by Miss Elnora Thomson, Director.

4. In connection with the modification in credit hours for five education courses at the University to meet the legal requirements for secondary teachers, the Committee also authorized the following adjustments at the State College to meet the legal requirements:

   Ed 315, Supervised Teaching, changed to Ed 415, and maximum credit increased from 10 to 12 hours.

   Ed 324, 325, 326, changed from two credits to three credits. These changes at both the College and University are approved for one year with the understanding that the Chancellor will study the entire teacher training set-up, during the coming year.

5. The Committee approved the following two new courses in Electrical Engineering and a course expansion in Speech at the State College, these courses having been recommended by the Special Committee on Radio Station KOAC.

   EE 467 Radio Engineering (G), spring term, 3 hours. A theoretical and experimental study of the transmission and reception of radio and television signals, including the design of transmitters, antennas, and associated equipment. Two lectures; 1 three-hour laboratory and computation period.

   EE 481, 482, 483. Radio Engineering Practices. Three terms, 1 hour each term. A study of the engineering and operating practices employed in modern radio broadcasting. Radio Station KOAC, employing a 1000-watt transmitter operating on 550 kc., is used as a practical laboratory, and the instruction is given by the engineer-in-charge. The work
prepares the student for the examination which must be passed to obtain the first-class radio telephone operator's license issued by the Federal Communications Commission. This course is open to seniors in electrical engineering, and to others with adequate preparation. One lecture; 1 two-hour laboratory period.

SF 234, 235, 236. Radio Speech, 3 terms, 3 hours each term. Voice and diction as they pertain to speaking over the radio; study of special techniques of radio; preparation of the radio speech and other forms of radio continuity; program building. Practice before the microphone and in the broadcasting of material over KOAC. (This course was approved for one year subject to review by the Interinstitutional Curricula Committee.)

"The Committee is very pleased with the manner in which the curricular adjustments were handled and is recommending approval of the curricular changes indicated in the document, 'Report to the Committee of the State Board of Higher Education on Curricula,' dated January 18, 1938, with the modifications listed above."

The Board approved the report of the Curricula Committee on course changes for 1938-39. (The official reports of course changes are on file in the Board's office as an integral part of these minutes.)

F. E. Callister, Chairman of the Buildings, Grounds and Capital Outlay Committee, then presented the following report:

"Board members have probably noted from the press the splendid grant of $100,000 that has come from the Rockefeller Foundation to aid in constructing a library at the Medical School, contingent on the raising of an equal amount from other sources. Dean Dillehunt is to be congratulated on securing this grant. At the Committee meeting yesterday the Chancellor presented a letter from the Dean indicating that the necessary $100,000 to match this grant has been guaranteed from an anonymous source. Dean Dillehunt is proposing that the $200,000 be used to construct a third wing to the present Medical School Building to house the growing medical library and to provide an adequate assembly hall for student purposes and for medical meetings. He is also recommending that the Board give the Building Committee power to act in employing an architect to prepare plans for the structure as soon as these funds become available.

"The Committee is more than pleased to recommend to the Board acceptance of this grant from the Rockefeller Foundation and the gift from the anonymous source and to concur in Dean Dillehunt's recommendation that the Committee be authorized to act in getting plans for the building under way."
The Board voted to accept the grant of $100,000 from the Rockefeller Foundation and the gift from the anonymous source and authorized the Building Committee to employ an architect and to proceed with plans for the building, as soon as funds become available.

The report of the Building Committee was continued as follows:

"At the last meeting of the Board the question of devising a method of financing a new Chemistry building at the State College was referred to a special committee consisting of President Peavy, Mr. Jensen, and Mr. Byrne. This committee, with the approval of the Chancellor, presented a plan whereby a loan of $250,000 could be floated with the unpledged $2.00 portion of the student building fee at the State College as security. The committee felt that the original plan of the Board for a $400,000 building was advisable and also brought out the fact that if a new building were erected the present chemistry building would have to be remodeled at a cost of approximately $75,000. This remodeling would result in a building which would have a valuation of about $200,000 and would be very adequate for the badly-needed laboratories and classrooms for Zoology, Botany, Plant Pathology and Bacteriology. The committee, therefore, felt that a program for a loan of $250,000 and a request to the Legislature for $250,000 would cover the project and would relieve a very unsatisfactory situation that exists at the present time.

"You are all familiar with the hopeless inadequacy of the present chemistry quarters at the State College. The present structure is nearly forty years old. It was not designed for chemistry but was built to house the School of Agriculture, The Experiment Station and the Creamery Department. Year after year the State Fire Marshall has called attention to the hazardous condition existing in the building. There already have been two major and several minor fires. This emergency situation has been aggravated by the unprecedented increase in College enrollment, the largest of which is in science. More than 1,300 students are registered in chemistry this year. In view of this situation the Building Committee feels that improved quarters for chemistry must be provided at the earliest possible moment. You will recall that the Board at an earlier meeting went on record that this project should be considered No. 1 in future building needs for the system.

"The Building Committee is, therefore, recommending to the Board that a sum of $250,000 be included in the biennial budget requests to the next Legislature for a chemistry building at the State College, with the understanding that the Board obtain a loan of an equal sum through a bond issue to be secured by the unpledged $2.00 portion of the student building fee at the College."
The Board accepted the report of the Building Committee in regard to the Chemistry Building and voted to include in the biennial budget requests to the Legislature $250,000 to finance a new Chemistry Building at the State College and the remodeling of the present Chemistry Building, the appropriation to be matched by proceeds of a bond issue of $250,000 secured by the unpledged portion of the student building fee at the State College.

In order to provide a temporary safeguard against the existing fire hazard in the Chemistry Building at the State College, the Board voted to appropriate a sum not to exceed $3,000 and authorized the Building Committee to proceed with plans for the construction of a vault or storehouse for chemical supplies.

E. C. Sammons, Chairman of the Finance Committee, presented the following report:

"At a meeting of the Finance Committee yesterday, consideration was given to the proposed fee schedule and dormitory rates for next year as presented in Item 6a of the docket. The detailed schedule is found in the supplementary material. You will note that the proposed schedule for 1938-39 as presented is the same as last year, but has been slightly rearranged to facilitate administration. Dormitory rates as recommended are the same as last year, except for a slight adjustment at the Oregon Normal School to bring the rates more in line with the other two institutions. The Committee after giving consideration to this schedule is recommending approval of the schedule as presented with one modification, an increase of $2.00 per term in the tuition for undergraduate students at the State College and University."

The Board voted to approve the fee schedule and board and room rates for 1938-39 as recommended by the Finance Committee with the exception of the matter of the $2.00 increase in undergraduate tuition recommended by the Committee. This matter was referred to the Chancellor for report at the March meeting. The entire fee schedule will be included with the minutes of that meeting.

The report of the Finance Committee was continued as follows:

"The Board is owner of a one-half interest in a parking lot in Portland acquired through the bequest of Dora Savage to the Medical School. We also hold a mortgage of $2,898 plus accrued interest on the other half. In order to make possible more effective management of the property, it is recommended that the Finance Committee be authorized to negotiate for the purchase of the other half interest in the lot from Mrs. Fox, the present owner, at a sum not to exceed $12,000, less the Board's interest in the mortgage. Other endowment funds of the Medical School can be used for making this purchase."
The Board authorized the Finance Committee to negotiate for the purchase of a one-half interest in the parking lot in Portland, in which the Board owns the other half-interest as a result of the bequest of Dora Savage to the Medical School, at a sum not to exceed $12,000, less the Board's interest in the mortgage which it holds on this property. Funds for the purchase are to come from other endowment funds of the Medical School.

Mr. Sammons continued with the report of the Finance Committee as follows:

"As a result of restricted budgets of the past several years, the Alumni records of the two major institutions have not been maintained up to standard. In order to make possible adequate records for the growing body of alumni at the two major institutions, the Chancellor recommended to the committee that an additional sum of $2,500 each be budgeted for the next fiscal year for this purpose at the University and State College. The Committee concurs in this recommendation."

The Board approved the budgeting of an additional $2,500 in the next fiscal year at both the State College and the University for maintaining adequate alumni records.

Walter E. Pearson, Chairman of the Insurance Committee, gave the following report:

"Your Insurance Committee has concluded that no retirement annuity plan can be adopted by the Board at this time because of a decision of the Attorney-General rendered your Chairman under date of December 7, 1937, as follows:

Your letter of November 24, 1937, in substance states that the insurance committee of the State Board of Higher Education is considering, with committees of faculty members of the several institutions, the installation of a plan of old-age retirement for the faculties which will require the payment of some portion of the cost by the State, subject to funds being available and receiving the approval of the finance committee of the Board. You further state that there are certain funds belonging to the State within the control of the Board, known as "unappropriated balances". You request my opinion upon the following propositions:

"First, Can the Board legally appropriate such unexpended balances toward the purchase of retirement annuities?"

"Second, In case you find that the Board would not have any legal authority to do that, could the Board accomplish the same purpose by increasing the salary of its employees who agree to make a like contribution out of
their salary without applying such increase in salary to persons in like positions in the system who do not choose to conform to the plan by contributing a part of their salary toward the retirement fund?"

The State Board of Higher Education exercises only such powers as have been conferred upon it by statute. The pertinent sections of the statute having any bearing upon the questions you submit are 35-4501, 35-4507, 35-4701, 35-4702, 35-4711, 35-4812, 35-4907, 37-606, and 67-607, Oregon Code 1930.

Under the provisions of the statutes, all funds received for the Board of Higher Education, except money or funds arising out of any gift from private sources, shall be paid into the state treasury and by that office kept separate and apart from other funds and shall be paid out only on warrants of the secretary of state, based on duly verified vouchers as other claims are paid, so that all funds in the state treasury, including any unexpended balances of such funds, are public moneys and may only be disbursed for the purposes and in the manner authorized by statute.

Attention is called to my opinion of May 21, 1929, Opinions of the Attorney-General, 1928-1930, page 224, wherein I ruled that neither the Board of Regents of the University of Oregon nor the Department of Higher Education has power or authority to enter into contracts to pay a percentage of the salary of a member of the faculty on a contract of annuity.

The principles on which such opinion is based, as set forth therein, are applicable and control the instant questions you submit. Since that opinion there have been several sessions of the legislature and it has taken no action in regard thereto, which would indicate that the legislature approved the construction in such opinion placed upon the then and now existing statutes of the state relative to the power and authority of the Board of Higher Education in respect to the questions your letter submits.

I, therefore, am of the opinion that your first question must be answered in the negative, and the second question must also be answered in the negative, because the Board would not be permitted indirectly to do that which it is directly prohibited from doing.

Very truly yours,

I. H. VAN WINKLE

Attorney-General

By Ralph E. Moody Assistant
"Therefore, it seems necessary to wait until enabling legislation can be passed before any further consideration can be given to a retirement annuity plan. As the Board does not seem to have any fixed retirement rule, your Committee recommends the adoption of the following:

"All staff members in Instruction, Administration, Research, and Extension with the rank of Assistant Professor and above shall retire at seventy years of age, except that upon the recommendation of the President of the institution, the Chancellor, and by two-thirds vote of members of the State Board of Higher Education the period of service may be extended beyond the age of seventy. Retirement of any such faculty member shall be optional either with the institution or faculty member at age 65, 66, 67, 68, or 69. Retirement of staff members shall take place at the end of the fiscal year of the Board after the birthday of the staff member occurs."

The Board voted to adopt the report of the Insurance Committee as presented by the Chairman.

Mr. Callister, Chairman of the Special Committee on the McDonald Estate, presented the following report:

"The Special Committee on the McDonald Estate met yesterday to consider recommendations of President Peavy and the Chancellor for the utilization of the proceeds of the McDonald bequest. President Peavy's statement indicated that there was now on hand in cash from the sale of timber on the Lake County tract almost $16,000. The total proceeds of the estate he estimated would eventually reach approximately $54,000. The report also indicated that forest laboratories in other state institutions were as large or larger than the 6,000 acre forest he was recommending to be completed by the purchase of land with McDonald funds. After studying the matter carefully, the Committee is making the following recommendations which were embodied in President Peavy's report:

1. That the net proceeds from the estate be devoted to capital investment, such as for the acquisition of forestry land and for the creation of research fellowships in forestry. None of the proceeds to be used for operation.

2. That the total proceeds of the Lake County property, or as much thereof as may be necessary, be used in the purchase of forest land and timber for the purpose of increasing the McDonald Forest to an approximate area of 6,000 acres.

3. That at least $20,000 derived from the proceeds of the Umpqua Timber Company mortgage be devoted to the creation of two $10,000 research fellowships in forestry."
4. That the residue of the proceeds of the bequest, after the conditions stipulated in 2 and 3 above are met, be devoted to the creation of additional research fellowships in forestry.

5. That it shall be the objective to maintain the McDonald Forest as a self-sustaining project.

6. That authorization be given President Peavy to proceed without delay in securing additional land for the school forest, bringing the total area up to 6,000 acres as funds are available from the proceeds of the estate. The present area is approximately 3,000 acres and authorization has already been granted to purchase 1,480.

"At the December meeting, the Board approved the recommendation of the Committee that the purchase of an additional 800 acres, known as the Packerham tract, be authorized if a certain connecting tract of 680 acres, known as the Jackson tract, could be obtained. The Committee reconsidered the matter and is now recommending that the Board approve the purchase of this 800 acres in advance of the acquisition of the connecting 680-acre tract; also that purchases be made with acquiescence of this committee and be approved by same."

The Board approved the report of the Special Committee on the McDonald Estate and authorized President Peavy to proceed with negotiations for the purchase of the 800-acre tract in advance of the acquisition of the connecting 680-acre tract, with the understanding that authority will be secured from the Special Committee for future purchases of land.

REPORT OF CHANCELLOR

The Chancellor presented a summary of enrollment statistics for the several institutions for the winter term, 1937-38, indicating that the enrollment for the College, University, and Medical School is greater than for any year in the history of these institutions.

The Chancellor read a communication which he had received from President Peavy, inviting the Board to hold its April 26 meeting on the campus of the State College at Corvallis. The Board voted to accept the invitation and to hold its regular April meeting at the State College.

GIFTS:

The Board officially accepted the following gifts and instructed the Secretary to make suitable acknowledgment to the respective donors:

State College

Standard Oil Fellowship

Fellowship in the amount of $750.00 from the Standard Oil Company of California for the year 1938-39, to be known as the "Standard Oil Company of California Fellowship," the administration of the fellowship to be vested in a committee
on technical employment appointed by the Company, a representative of which will cooperate with the College.

Prof. Berchtold to Library

Gift from Emeritus Professor Berchtold of 918 volumes valued at $1,150, for the State College Library.

Local Leaders Assn. to Charles Weber

Gift of 1920 Dodge truck, valued at $150.00, from the Local Leaders Association of Portland, for the use of Charles J. Weber, Urban Club Agent in Portland.

Medical School

$275 for Infantile Paralysis

Gift of $275.00 from Mr. Bradey Narey, Chairman of the President’s Birthday Ball held at Klamath Falls, for the purpose of caring for victims of infantile paralysis.

GRADUATE AWARDS

The Board approved the following classification of graduate awards in the State System of Higher Education:

- Graduate assistantships
- Graduate scholarships
- Graduate fellowships
- Research assistantships
- Research scholarships
- Research fellowships

The graduate and research assistants will usually be persons proceeding toward the master's degree; provided, however, that those seeking higher degrees shall be eligible for appointment.

The graduate and research scholars will be persons whose promise is considered exceptional. Recommendations for this award will be made by the school or department concerned to the Graduate Council of the institution. The graduate and research fellows will normally be persons proceeding toward the doctorate, with at least one year of acceptable work toward that degree completed, providing that persons of exceptional experience and maturity will be eligible.

These appointments will involve service to the institution in instructional assistance, research, or other general service amounting to a designated number of hours per week. Research and graduate scholars will receive a stipend of $100 above the present level of graduate and research assistants when appointed for a second year.

KATE KINGSLEY BEQUEST

The Board voted to accept the bequest of $1,000 from Mrs. Kate Kingsley, deceased, to the Doernbecher Memorial Hospital, the income from which is to be used for the purchase of books for a children's library, and authorized the President and/or Secretary to execute the necessary documents.

BUDGET ADDTN. SQUAW BUTTE STATION

The Board approved the addition of $1,500 to the sales budget of the Burns Squaw Butte Experiment Station, the funds to come from increased income of the Station.
The Board voted to approve the calendar year budgets for 1938 for County Agricultural Extension work as submitted by Dean Schoenfeld, with the following salary adjustments effective January 1, 1938. (Copies of these budgets are on file as an integral part of these minutes.)

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The Board approved permitting a temporary overdraft in the gift account M-101010, City of Portland, for use in instruction in contagious diseases in the clinic. The income from the City for this account will be available on April 30, after the receipt of its monthly tax accruals.

Mr. Marks reported on his negotiations with the Attorney for the Board of Regents of the University of California in regard to the mortgage on the McDonald timber property in Coos County, in which mortgage the State Board of Higher Education has a one-half interest, the other one-half interest being owned by the University of California. The Board confirmed the action of the Executive Committee in recommending to the University of California officials that a new mortgage be executed covering the principal of the old mortgage and all accrued interest thereon, the new mortgage to be executed for a five-year term with an interest rate of at least 5% per annum, with a provision for a minimum annual payment on said mortgage of $5,000.00 on the principal thereof and with a further provision that no timber be sold on the mortgaged premises except upon a price to be agreed upon by the mortgagee and that the proceeds of the sale of the timber be applied toward the payment of the mortgage.
The Board approved the appointment of Dr. Raymond M. McKeown on the Advisory Committee of the Institute of Marine Biology to fill the vacancy occasioned by the death of Dr. Everett Mingus.

The Board approved the following personnel adjustments at the State College:

**Carl Salser, Sabbatical Leave**
Sabbatical leave on full pay for Professor Carl W. Salser, Assistant Dean of Education, from March 1 to June 1, 1938, to continue graduate work at the University of Southern California.

**Bertha Herse, Sabbatical Leave**
Sabbatical leave on half pay for Miss Bertha E. Herse, Reference Librarian, from January 1 to April 1, 1938, in order to recuperate from illness; the salary saving of $337.50 to be used to employ substitute assistance.

**Robert Rieder, Appointment**
Appointment of Robert E. Rieder, as Assistant County Agent of Marion County, rank of instructor, one-year tenure, effective January 16, 1938, at a salary of $1,704. Mr. Rieder will continue his duties as County Horticultural Inspector. Funds for the position will be provided $1,400 from the county and $304 from federal funds in the Extension Service. In the current fiscal year $641.29 will be added to the Marion County Extension budget from county funds and $142.00 transferred from the Director's Reserve. No unrestricted funds involved.

**Pearl Heath, Sabbatical Leave; Marie Erickson, Appointment**
The Board approved the leave of absence without pay for Mrs. Pearl B. Heath, Assistant Professor of Art, at the Oregon Normal School, from January 1 to March 31, 1938, and the appointment of Mrs. Marie Ring Erickson as instructor in art from January 1, 1938 to March 31, 1938, with no change in budget.

**C. D. Byrne, Extension of Sabbatical Leave**
The Board approved the extension of the one-term sabbatical leave granted Mr. Charles D. Byrne for the fall term of the current fiscal year. By utilizing the unused portion of the fall term leave and the annual vacation period, Mr. Byrne will be enabled to complete his residence work for the doctorate at Stanford University during the winter term.

**PRESIDENT BOYER RESOLUTION**
The Board adopted the following resolution in appreciation of Dr. C. V. Boyer's services as President of the University of Oregon.

WHEREAS, At the Board meeting of June 8, 1937, Dr. Clarence Valentine Boyer, for reasons that concerned the health of himself and Mrs. Boyer, tendered to the Board, through the Chancellor, his resignation as President of the University, to take effect on September 30 or at such time as a successor might be selected and appointed; and
WHEREAS, The resignation of Dr. Boyer was so entirely unexpected and unwelcome that the Board was unwilling to make a decision at that time, and voted to defer action until fall; and

WHEREAS, Convinced, in the meantime, that Dr. Boyer's motives for retiring are valid and in the interest of the welfare of himself and his family, the Board is sympathetic toward his desire to limit his service to the University to those functions which for many years he has performed with satisfaction to himself as well as to the University; now therefore, be it

Resolved, That the Board hereby expresses its confidence in Dr. Boyer, and in accepting his resignation, to take effect when his successor is ready to assume the duties of the presidency, conveys to him its grateful appreciation of the thoroughly competent service he has rendered as President during the past four years—a service characterized by sound judgment, earnest convictions, high ideals, and a spirit of constructive cooperation; and be it further

Resolved, That the Board is happy to have him continue to serve the University, as he has expressed a willingness to do, in the capacity of Dean of the College of Arts and Letters and head of the English Department, confident that he will continue to render distinguished service in these fields, as he has always done, both before and during his period of service as President.

ADJOURNMENT
There being no further business, the Board adjourned at 11:35 a.m.

\[Signature\]  
WILLARD L. MARKS, President

\[Signature\]  
CHARLES D. BYRNE, Secretary