On written request of five Board members, the State Board of Higher Education convened in a special meeting in the Public Service Building, Salem, Oregon, on May 7, 1954.

The meeting was called to order at 10:00 AM by the President of the Board, Dr. R. E. Kleinsorge, and on roll call the following answered present:

- Henry F. Cabell
- George F. Chambers
- Leif S. Finseth
- Edgar W. Smith
- Dr. R. E. Kleinsorge

Absent: A. S. Grant, Herman Oliver, Cheryl S. MacNaughton, Wm. E. Walsh.

System representatives present: Chancellor Charles D. Byrne; Vice-Chancellor and Secretary John R. Richards; President O. M. Wilson of the University of Oregon; Dean H. J. Noyes of the Dental School; J. O. Lindstrom, Business Manager, University of Oregon; Assistant to the Chancellor Travis Cross.


There was read in full before the Board the decision of the Supreme Court of Oregon:

**IN THE SUPREME COURT OF THE STATE OF OREGON**

**Department 1**

State of Oregon ex rel., the Oregon State Dental Association, a corporation, and Dr. J. H. Rossman, Dr. W. H. Burrell, Dr. M. Monte Bettman, Dr. A. T. Oberg and Dr. J. Warner Henderson, individually and as members of the Advisory Council of the Oregon State Board of Higher Education.

V.

Edgar W. Smith, R. E. Kleinsorge, G. F. Chambers, L. S. Finseth, William Walsh, Henry F. Cabell, A. S. Grant, Cheryl S. MacNaughton and Herman Oliver, as the Oregon State Board of Higher Education.

Respondents,

V.

Appellants.
This decision was issued on May 5, 1954, and in its complete text has been made an integral part of the Board minutes.

Comment was requested from the Attorney General, and he stated that he would be willing to issue a ruling concerning the constitutionality of the method for operating the Dental School described in the above decision but that he wished to issue this in writing. He stated that he would issue such a ruling in writing on or before May 8, 1954.

Board members discussed the appropriate procedures for going ahead with the construction of the new Dental School building. In its meeting of April 27, 1954, the Board had decided not to proceed with construction until after the issuance of this Supreme Court decision. Following discussion, it was moved and seconded that the Executive Committee be empowered to authorize advertising for bids upon receipt of an affirmative ruling from the Attorney General, with bids to be opened at 4:00 PM on June 14, 1954. The Attorney General concurred in this procedure. The motion passed unanimously.

The Board discussed procedures to alter the administrative relationships of the Dental School, and passed the following motion:

To authorize immediate administration of the Dental School of the University of Oregon through the same channels now in effect for the University of Oregon, Oregon State College, Colleges of Education, etc; that is, the dean will be responsible through Chancellor to Board on matters of curricula, budgets, personnel and other administrative matters set forth in the Board's code.

The Attorney General advised that this action was necessary to comply with Chapter 160, Oregon Laws 1945, as interpreted by the Supreme Court decision.

Further, the Board authorized the Chancellor as its executive officer to take whatever steps are necessary to effectuate the statutory responsibility of the Dental Advisory Council in carrying out its advisory responsibilities; and also authorized the awarding of appropriate degrees to graduating seniors at the Dental School certified by the faculty of the Dental School and the Dean for these degrees, with the top line of the diplomas to read as follows: "Dental School of the University of Oregon," with the Chancellor granted the authority to award the degrees on behalf of the Board.

The Attorney General indicated that this was the proper legal procedure.

The meeting adjourned at 11:10 AM.

R. E. Kleinsorge, President

John R. Richards, Secretary