

BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA

A meeting of the Board of Regents of the University of Oklahoma, was held at 10:00 a.m., on Monday, February 12, 1940, in the office of the President.

Regent Ledbetter, President of the Board presided; others present, Regents Hatchett, Looney, Hopper, Chambers, and McBride.

The minutes of the meeting held on Thursday, November 23, 1939, were approved, each member having been furnished a copy previously.

President Bizzell reported on the enrolment for the second semester, and presented a comparative statement, - the second semester of the school year 1938-39, and enrolment to February 10, 1940. The summary showed a total enrolment of 6,380 last year, and 6,392 to date this year. President Bizzell estimated the enrolment for the second semester this year would reach 6,450.

The Chair called attention to his letter of December 8, 1939 to each member of the Board, regarding the improvement of the University Medical School campus by the City of Oklahoma City, through a WPA Project. The Chair stated that some of the conditions of the original understanding with the Board of Regents had been carried out, but that due to technicalities there had been delays, and that the proposed contract, a copy of which was sent to each member of the Board, would not be signed until all conditions had been met.

A motion was made, seconded, and carried that the Board confirm the letter vote of approval, and that the President of the Board be authorized to sign the contract on behalf of the Board, if, and when, all conditions are met.

President Bizzell read a letter under date of December 7, 1939, from the Attorney General to the President of the Board concerning the damage to the Nurses' Home and Grounds at the University Hospital, occasioned by drilling certain wells by Knox L. Garvin; a copy of the letter follows:

December 7, 1939.

"Board of Regents
University of Oklahoma
c/o Stuart, Bell and Ledbetter
827 American National Bank Building
Oklahoma City, Oklahoma

Attention: Mr. Eugene P. Ledbetter

Re: Damage to Nurses' Home and grounds of University Hospital occasioned by drilling of certain oil wells by Knox L. Garvin.

Gentlemen:

"The Attorney General has, at the request of the Governor, checked thoroughly into the above styled matter. The result of the investigation was presented to a full conference of the staff of the Attorney General and the following facts revealed and conclusions reached:

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"That a check drawn on the First National Bank and Trust Company of Oklahoma City, in September, 1936, signed by the Knox Garvin Oil Company, payable to the State of Oklahoma in the sum of \$51.25, was accepted by L. M. Nichols, Chairman, State Board of Public Affairs. The following notation appears on this check:

'Damages; roses, spray heads, etc., University grounds.
Letter 9-8-36.

A. W. Horton, V. Chairman
State Board of Affairs.'

"The records also reveal a letter under date of September 8, 1936, addressed to Knox Garvin, signed by A. W. Horton, Vice-Chairman, State Board of Public Affairs, as follows:

'This confirms our telephone conversation of recent date at which time I advised you that our landscape gardener and Mr. Rey have decided on the amount of \$51.25 as damage to roses, spray heads, etc., on the University grounds. As suggested, this amount will be satisfactory and it is my understanding that you agree to same.

'Will you please acknowledge this and arrange to make out check payable to the State of Oklahoma in the amount of \$51.25.'

"The records further reveal that another check was drawn by Knox Garvin and signed by Edward Howell on March 13, 1937, payable to the State Board of Public Affairs in the amount of \$300.00, endorsed by Paul T. Colvert, Secretary, State Board of Public Affairs. The following notation appears on the face of this check:

'All claims in connection with drilling operation of oil and gas wells, blocks 13, 14 and 17, Howe's Capitol Addition.'

"Accompanying this check was a letter addressed to State Board of Public Affairs, Attention: Mr. L. M. Nichols, Chairman, signed Knox L. Garvin by R. W. Smilie, which is as follows:

'Enclosed herewith please find check No. 114 in the amount of \$300.00 in payment of all claims with connection with drilling and operation of oil and gas lease on Blocks 13, 14, and 17, Hose's Capitol Addition to Oklahoma City, Oklahoma, adjoining the University Hospital grounds.'

"Records of the State Treasurer of Oklahoma reveal that these amounts were properly credited to the State of Oklahoma.

"With these facts in view, together with the doubtful nature of some of the items of damage claimed, and the right of the State Board of Public Affairs to accept payment on behalf of the University Hospital, the Attorney General and his staff conclude that recovery by the State of Oklahoma would be extremely doubtful and therefore recommends that suit not be instituted."

Very truly yours,

FOR THE ATTORNEY GENERAL

(Signed) Randell S. Cobb,
First Assistant Attorney General

(Signed) Peyton Ford,
Assistant Attorney General."

Following a discussion of the matter, it was voted to concur in the recommendations of the Attorney General, namely, that a "suit to recover further damages be not instituted."

There was a discussion concerning the appropriation of \$68,750.00 made by the Seventeenth Legislature (Senate Bill 201), for the purpose of erecting and equipping an Isolation Building at the Crippled Children's Hospital in Oklahoma City.

The Chair called attention to Section 2 of the bill which provides that, "the appropriation herein made is to be used to match Federal Funds." He stated that he had requested an opinion from the Attorney General to determine the Board's authority in undertaking the construction of this building. A copy of the Attorney General's opinion follows:

January 24, 1940.

"Honorable Eugene P. Ledbetter, President,
Board of Regents of the University of Oklahoma,
American National Bank Building,
Oklahoma City, Oklahoma.

Dear Sir:

"The Attorney General acknowledges receipt of your letter dated January 23, 1940, wherein you refer to the appropriation made in Article 6, Chapter 27, Oklahoma Statutes 1939 'for the purpose of erecting and equipping an Isolation Building on the grounds of the Crippled Children's Hospital on the Medical School campus in Oklahoma City, Oklahoma,' and ask in substance whether or not, in view of the limitation placed upon the use of said money by Section 2 of said Act, said money may be used if federal aid in the form of a W.P.A. project can be procured in connection with the erection of said building.

"Section 2 of said Act, (which was quoted in your letter) reads as follows:

'The appropriation herein made is to be used to match Federal Funds and no portion of such funds herein appropriated shall be used for the purpose for which the same is appropriated unless Federal Funds are procured to be used in matching the said funds herein appropriated.'

"The language of the Act does not make the legislative meaning of the word 'match' as used therein altogether clear. Neither does the Act itself make perfectly clear the meaning of the words "Federal Funds"

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as used therein. If these words and terms were to be given the strictest possible interpretation the conclusion might be reached that the money appropriated by said Act could not be used for the intended purpose unless the United States government gave the State (to be used for said purpose) an amount of legal tender exactly equal to the amount of state appropriation used.

"However, it appears to be a fact that at the time said Act became a law (May 10, 1939) there were no agencies of the United States government authorized to match public work projects of this nature with dollar for dollar cash contributions. Apparently the only federal agency ever authorized to make actual cash grants for such purposes was the P.W.A., and said agency was never authorized to contribute more than forty-five per cent of the total cost of the project in which it cooperated. The primary basis upon which W.P.A. has been and is cooperating in the construction of public projects is that of furnishing labor (and some materials) rather than furnishing money. In view of these facts it appears that if the strict interpretation above outlined were employed, the absurd result would obtain that the entire Act is and was at the moment of its passage, a nullity due to practical circumstances.

"On the other hand, it is a well established rule of construction that statutes should be expounded, not according to the letter thereof, but according to the legislative intent; and the literal import should not be followed if the result would be absurd, provided a more reasonable view can be taken. See *Lee v. Roberts*, 3 Okla. 106, 41 Pac. 595.

"It was said in syllabus 2 of the case of *Brown v. Miller*, 89 Okla. 287, 215 Pac. 748, that:

'The rule is established, a thing within the intention is regarded as within the statute, though not within the letter; and a thing within the letter is not within the statute, unless within the intention.'

"In view of the circumstances with which the Legislature was familiar at the time of the passage of the Act in question, it is the opinion of the Attorney General that the real intent of the Legislature in including Section 2 in said Act was to forbid the use of the money appropriated unless substantial aid, either in money or its equivalent in labor or materials, were procured from one of the federal agencies established and operated for the express purpose of cooperating in the construction of public projects, in quantities such as said agencies were known to be able to furnish under the law authorizing their existence and operation.

"The basic plan and method by which the W.P.A. furnishes aid and cooperation in the construction of public projects such as the structure in question were well known when the Act under consideration was passed and the aid given such projects through W.P.A. cannot be said to be insubstantial. It is therefore the opinion of the Attorney General that the money appropriated by said Act may be used for the purpose to which it was appro-

riated if W.P.A. assistance in the erection of said building can be procured in the quantities and manner customarily given to other public construction projects of similar character.

Very respectfully,

FOR THE ATTORNEY GENERAL

(Signed) Stephen D. Holloway,
Assistant Attorney General."

Regent Looney moved that a committee be appointed to make further investigation and consult the Governor concerning this matter.

Regent Looney's motion was carried.

Regent Looney suggested that Regents Hatchett and Chambers serve with the President of the Board on the committee, and that this committee with President Bizzell, have a conference with the Governor.

The personnel of the committee was approved.

Regent Ledbetter stated that he had had some criticism by architects against the preparation of plans for University buildings by University architects. He submitted a letter from Mr. Tom Sorey, Architect, in defense of his position in the matter.

The letter was ordered filed.

President Bizzell reported that in accordance with action by the Board at the previous meeting, an opinion had been requested from the Attorney General concerning personal liability for members of the staff in the Infirmary. A copy of the Attorney General's opinion follows:

"Dr. W. B. Bizzell, President
University of Oklahoma
Norman, Oklahoma

December 26, 1939.

Dear Sir:

"The Attorney General acknowledges receipt of your letter dated December 16, 1939, wherein you ask:

'I shall appreciate it if you will advise me concerning the personal liability of the members of the staff in the University Infirmary in connection with their regular duties with the students who are eligible for treatment. Each student is required at the time of enrollment to pay an Infirmary fee which according to the published regulations entitles the student to hospitalization, general nursing service and general care by regular university physicians. All members of the staff are paid a monthly salary and in no case does a doctor or a nurse receive direct pay from the patient. I would like to know if members of the hospital staff (doctors or nurses) would be personally liable in the case of a suit for malpractice by a patient.'

"In reply you are advised that it is not the policy of the Attorney General to give opinions concerning the personal liability of State officers and employees for torts allegedly committed thereby while performing their official duties. Neither does this office represent such officers and employees in actions brought against the same for damages allegedly arising from such torts. We, therefore, suggest that the persons mentioned by you should seek advice of private counsel. However, for your information, attention is called to 25 R.C.L., page 407, Section 43, wherein, after stating that the State is not liable for the negligence or misfeasance of its officers or employees, the following general rule is set forth:

'Where wrongs are done to individuals by those who are the servants of the government, those injured are not remediless, as such persons may be sued as may be other citizens for the torts which they commit.'

"Attention is also called to 48 Corpus Juris, pages 1119 and 1135, wherein, under the subject 'Physicians and Surgeons' appear the following general rules:

'The fact that a physician or surgeon renders his service gratuitously does not absolve him from the duty to use reasonable and ordinary care, skill, and diligence.

'A physician may refuse to respond to the call of a patient unable to compensate him; but if he undertakes the treatment of a patient gratuitously, his liabilities for negligence or malpractice are the same as in the case of any other patient. So a physician employed by a city to treat patients at the city almshouse is liable to one of such patients who is injured through the physician's negligence, although there is no contractual relation between such patient and the physician.'

Very truly yours,

FOR THE ATTORNEY GENERAL

(Signed) Fred Hansen,
Assistant Attorney General."

Following a discussion of the matter, it was the sense of the Board that Regent Chambers investigate the cost of insurance for the staff in the University Infirmary.

Regent Chambers stated that he had visited the Infirmary, and had had a conference with Dr. W. A. Fowler, Director of Student Health Service. He stated that in his opinion the Infirmary fee should be increased in order to provide additional equipment which was badly needed.

It was the sense of the Board that this matter be discussed further at the April meeting.

President Bizzell reported that plans had been made for the erection of a memorial on the Hal Niemann Polo Field, and that a WPA Project had been prepared at an approximate cost of \$4,100. He stated that the Government would furnish approximately \$2,900, leaving the balance for the University in labor and material, of which the Military Department has on hand \$530.00.

It was voted to approve the construction of the memorial, and the following resolution was unanimously adopted:

BE IT RESOLVED that the President of the University of Oklahoma and the Secretary of the Board of Regents be authorized to sign in behalf of the Board of Regents any documents required by the Government in the approval of a WPA Project looking toward the erection of the Hal Niemann Memorial on the Polo Field on the campus of the University of Oklahoma.

Regent Ledbetter reported that he had had further correspondence with the Romeike Press Clipping Service concerning the statement rendered on the contract signed by Miss Francis Hunt of the Publicity Department. He reported that they would accept \$250.00 as a compromise.

Regent Ledbetter was authorized to make a settlement on that basis through motion by Regent Hatchett.

President Bizzell submitted various items contained in recommendations by General Patterson, Dean of the School of Medicine, as follows:

Retirement at the Age of Sixty-five:

- Dr. Leander A. Riely, Professor of Clinical Medicine, be made Professor of Clinical Medicine, Emeritus, effective October 20, 1939.
- Dr. David Wilson Griffin, Professor of Mental Diseases, be made Professor of Mental Diseases, Emeritus, effective January 15, 1940.
- Dr. William Ward Rucks, Sr., retired as Associate in Medicine, effective October 20, 1939.
- Dr. Fenton Mercer Sanger, retired as Instructor in Gynecology, effective October 20, 1939.

President Bizzell was instructed to write a letter of appreciation to each of the above.

Promotions:

Recommended that Dr. William Lawrence Bonham be promoted from the position of Instructor to Assistant Professor of Oto-Rhino-Laryngology, effective January 1, 1940.

Recommended that Dr. James Garfield Binkley be promoted from Associate in Obstetrics to Associate Professor of Obstetrics, effective January 1, 1940.

That Dr. Donald B. McMullen, Assistant Professor of Bacteriology, be given the title of Associate Professor in Hygiene and Public Health in addition to his present position but without change in salary, effective January 10, 1940.

That Dr. Francis C. Lawler, Assistant Professor of Bacteriology, be given the additional title of Assistant Professor of Hygiene and Public Health without change in salary, effective January 1, 1940.

That Dr. Richard Clyde Lowry be promoted from the position of Associate Professor of Obstetrics to Professor of Clinical Obstetrics, effective January 1, 1940.

That Dr. Arthur A. Hellbaum, be promoted from the position of Assistant Professor of Physiology to the rank of Associate Professor of Physiology, effective January 1, 1940.

That Dr. Owen Royce be promoted from the position of Assistant Director of the Out-Patient Department to the position of Director of the Out-Patient Department of the University and Crippled Children's Hospitals, effective June 1, 1940, at a salary of \$300.00 per month, to fill the vacancy caused by the resignation of Dr. G. N. Barry, who will resign May 31, 1940.

That Dr. Delbert Gilmore Smith now on duty in the Obstetrical Service of the Out-Patient Department of the University Hospital, be promoted to Assistant in Obstetrics, effective January 1, 1940.

Appointments:

That Dr. Charles R. Rayburn be appointed Professor of Mental Diseases, effective January 1, 1940.

That Dr. Edward N. Smith be appointed Associate Professor of Obstetrics in the University School of Medicine, his salary to be paid by the State Department of Public Health, through an arrangement with Dr. Grady Matthews, State Health Commissioner, effective February 1, 1940.

President Bizzell reported that funds for this salary are available through a grant from the Federal Childrens' Bureau in Washington.

Miss Carrie C. Gillaspy, appointed as a graduate assistant in the Department of Anatomy, on a ten months' basis effective September 1, 1940, at \$60.00 per month.

Vernal Johnson, appointed as Laboratory Technician in the University and Crippled Children's Hospitals, effective January 2, 1940, at a salary of \$100.00 per month.

Muriel Waller, appointed as Secretary to Dr. Olsen, effective November 3, 1939, at a salary of \$100.00 per month.

Elinor Peery, X-Ray Technician, University and Crippled Children's Hospital, effective November 15, 1939, at a salary of \$100.00 per month.

Elwood W. Cleveland, Assistant Property Clerk in the School of Medicine, effective January 15, 1940, at a salary of \$75.00 per month.

President Bizzell reported that Dr. E. T. Olsen, Medical Director and Assistant Superintendent of the University and Crippled Children's Hospital would be retired on March 31, 1940, and presented the recommendation of General Patterson that Dr. Lewis L. Reese be appointed Medical Director and Assistant Superintendent for the University and Crippled Children's Hospitals, effective April 1, 1940, at an annual salary of \$5,000.

Resignations:

Reported the resignation of Dr. James Jackson Gable, Associate Professor of Mental Diseases, effective January 1, 1940. Dr. Gable has been ill for some time and has submitted his resignation on that account.

President Bizzell was instructed to write a letter of appreciation to Dr. Gable.

Helen Maloney, resigned as Laboratory Technician in the University and Crippled Children's Hospitals, December 31, 1939.

Ilene Chapman, resigned as Secretary in the University and Crippled Children's Hospitals, October 31, 1939.

Paul Miller, resigned as Carpenter in the University and Crippled Children's Hospitals, December 31, 1939.

Services Discontinued:

Mary Virginia Little, X-Ray Technician in the University and Crippled Children's Hospitals, November 14, 1939.

Leaves of Absence:

At the previous meeting of the Board, Dr. Berry Campbell was granted leave of absence without pay for the year beginning September 1, 1940; he desired to make application for a Guggenheim Fellowship. Dr. Campbell requests now that this leave of absence be granted in connection with his application for an Alexander Brown Coxe Fellowship at Yale University.

It was understood that he will continue in his present position if neither Fellowship is granted, and the conditions of his return to his present position to be the same as previously approved.

Dr. Irwin C. Winter, Assistant Professor of Pharmacology, leave of absence without pay from April 1, 1940 to July 1, 1940, under the conditions as outlined by General Patterson in his letter of January 5, 1940.

A motion was made, seconded, and carried that all recommendations of General Patterson except the appointment of Dr. Reese, be approved.

There was a discussion concerning the appointment of Dr. Lewis L. Reese. Several members of the Board expressed the opinion that in filling this position, preference be given to a resident of this state, and that the Board might be criticized in employing some one from outside the state of Oklahoma.

President Bizzell presented a letter from General Patterson concerning the matter and the Secretary was asked to read the same.

Regent Hatchett stated he would prefer to have some one from Oklahoma but in view of the Dean's responsibility he would move that Dr. Reese be appointed Medical Director and Assistant Superintendent of the University and Crippled Children's Hospitals, effective April 1, 1940, at an annual salary of \$5,000.00.

On the vote on the motion, the following voted "aye": Hatchett, Chambers, McBride, Looney, and Ledbetter.

Regent Hopper asked that he be recorded as voting "no".

Motion was carried.

The Chair stated General Patterson had requested no announcement of this appointment be made until Dr. Reese has assumed his duties on April 1, 1940, and the Board concurred in this request.

President Bizzell submitted for approval the following items that have developed since the last meeting of the Board of Regents on November 23, 1939, and recommended approval:

Resignations:

Margaret Anne Twyman, Assistant Director of Student Activities in the Oklahoma Memorial Union; Assistant to the Counselor of Women; February 1, 1940.

Sarah Graham, Graduate Assistant in English, February 1, 1940.

Appointments:

Paul S. Schmidt, Special Instructor in English, February 1 to June 1, 1940, at \$75.00 per month.

Vinita Bond Davis, Graduate Assistant in English, February 1 to June 1, 1940, at \$50.00 per month.

Vivla V. Russell, Special Instructor in Physiology, February 1 to June 1, 1940, at \$200.00 per month.

Virginia Reinecke, Director of Student Activities in the Oklahoma Memorial Union; Assistant to the Counselor of Women, February 1 to June 1, 1940, at \$150.00 per month.

Homer Crook, Janitor, University Infirmary, \$75.00 per month, February 1, 1940.

Promotion:

Wip Robinson, Secretary, Department of Geology, on a part-time basis at \$75.00 per month, salary increased to \$100.00 per month on a full-time basis, effective February 1 to July 1, 1940.

Leave of Absence Canceled:

Paul Eldridge, Assistant Professor of English, previously granted Sabbatical leave of absence for the second semester of the school year 1939-40 has consented to remain on duty during the second semester in place of Dr. Botkin who requested a leave of absence for the current school year.

Leave of Absence:

Dorothy Cram, Special Instructor in Social Work, Extension Class Teaching has requested a leave of absence, without pay, for the second semester. No substitute has been employed and there is no obligation to reemploy her for next year.

Quentin M. Spradling, Assistant Auditor, requests leave of absence on half pay from February 20 to May 20, 1940, in order to attend the Spring term of the Infantry School at Fort Benning, Georgia. Mr. Spradling has been with the University for 12 years and his vacations have consisted, for the most part, of the two-weeks National Guard training camps during the summers.

Recommendations were approved.

President Bizzell reported that the Student Loan Committee had recommended the following students for loans from the J. Roy Williams Fund in the amounts as specified below and requested confirmation by the Board of Regents which is required under the Trust agreement:

Woodrow Leslie Colhouer	\$150.00
Orville Ellis Craig	100.00
E. Jane Fields	160.00
Ella Reed Howell	126.00
Nicholas Alexander Tinker	100.00

The action of the Student Loan Committee was approved.

President Bizzell reported that there is approximately \$800.00 available in the Will Rogers Fund, and that a committee had been appointed to consider the granting of assistance to physically handicapped students during the second semester of the current school year.

The committee recommended the following students to receive aid in the amount specified in each case:

Name	Class	Monthly Installments	No. of Monthly Installments	Total for Semester	Condition of Allocation
Carnell Cowen	Sophomore	\$7.00	4	\$28.00	Gift
Marjory Curtis	Junior	10.00	4	40.00	Gift
James Frederick Dodson	Freshman	16.00	4	64.00	Gift
Edna Ruth Hazelwood	Sophomore	18.00	4	72.00	Prefers to make note, easy terms.
Geraldine Larecy	Junior	10.00	1 (now)	10.00	Gift
Wayland McCarty	Senior	14.00	4	56.00	Gift
Edward Strunk	Senior	15.00	4	60.00	Gift
Lloyd D. Tallent	Senior	10.00	4	40.00	Gift
Paul Tapp	Senior	25.00	4	100.00	Prefers to make note, easy terms.
Delbert Leland Wilson, Jr.	Senior	4.50	4	<u>18.00</u>	Gift
				Total	\$488.00

It was voted that the list be approved.

There was a discussion as to whether the payments be made in the form of a loan or a gift.

Regent McBride made the motion that assistance from the Will Rogers Fund be considered as loans.

A Majority of the Board voted "no" on this motion, and it was declared lost.

Regent Looney made the motion that further consideration be given to the question of adopting a permanent policy on the matter of loans or gifts.

Motion carried.

The Board adjourned for lunch in the Student Union Building as guests of the Norman Rotary Club at 12:00 o'clock, and reconvened at 1:10 p.m.

President Bizzell discussed with the Board the condition of University finances, showing a statement of expenditures to the first of February 1940, and a plan for continuing the salaries without reductions during the months of February and March. He stated that the fourth quarterly budget would be filed at the proper time, and that it would not be possible to make definite plans until it was ascertained how much money would be available.

A motion was made, seconded, and carried that President Bizzell's recommendations with reference to expenditures for the balance of the third quarter be approved.

President Bizzell stated that Mr. Walter W. Kraft, Superintendent of University Utilities, and President of the Athletic Council, had prepared blue prints under the direction of Tom Stidham, Director of Athletics to provide for the moving of athletic coaches' offices to the north end, east wing of the Stadium, also that the Athletic Department had recommended other items.

He asked that Mr. Kraft and Tom Stidham be invited to explain the entire program.

These gentlemen appeared before the Board and Mr. Kraft proceeded to give the details as follows:

Project No. 1 - Paint seat numbers on stadium seats -	
30,000 numbers - approximately	
50,000 separate numbers	\$1,200.00
Project No. 2 - Paint sections above doors on out-	
side of stadium and on ramps	
inside of stadium	75.00
Project No. 3 - 3,000 seats - knockdown bleachers	5,250.00
Project No. 4 - Field cover - 12 oz. waterproof and	
mildew proof	3,500.00
Project No. 5 - Rebuild baseball bleachers	3,185.50
Project No. 6 - Enlarging vault and making other	
changes in ticket office	200.00
Project No. 7 - Files for ticket office	150.00
Project No. 8 - Furniture for new athletic offices	1,542.00
Project No. 9 - Construct Athletic offices under	
east stadium. Construct indoor	
track and quarters for track team	<u>9,771.27</u>
Total Cost	\$24,873.77

There was a discussion on the various items and it was the sense of the Board that consideration be given to increasing facilities for press representatives, also that toilet facilities be increased under the east

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and west wings of the Stadium, to accomodate the crowds during football games. It was the sense of the Board that something should be done to provide more sanitary conditions in connection with the concessions selling food and drinks.

Mr. Kraft and Mr. Stidham retired from the meeting.

President Bizzell stated that Dean Arthur B. Adams of the College of Business Administration, and Dr. N. H. Engle, a representative of the United States Department of Commerce, were in the outer office and asked that they be invited to appear before the Board. He stated that Dr. Engle was visiting the campus in the interest of formulating the research program as proposed in the Sheppard-Robinson Bill (HR3395) now before Congress.

Dean Adams and Dr. Engle were invited. Dr. Engle explained to the Board the purpose of the bill which would provide for a program of business research to be undertaken jointly by the Department of Commerce and state university schools of business. He explained that at the present time the bill did not provide for an appropriation but that it was anticipated an appropriation would be made at a later date, and that state universities would be given assistance in research programs which were designed primarily to aid the small business man who, on account of limited resources, was prevented from undertaking similar studies.

Regent McBride inquired if there was anything the Board of Regents could do at this time in connection with the matter, whereupon Dr. Engle suggested that his department was merely asking for cooperation in encouraging passage of the bill, and cooperation in carrying on the research if and when the bill is passed and funds become available.

The President of the Board assured Dr. Engle of the full cooperation of the University and the Regents, and thanked Dr. Engle for his coming to the University of Oklahoma and explaining the program to the Board.

Dr. Engle expressed his pleasure in meeting the members of the Board and having the opportunity to present the matter in question, whereupon he and Dean Adams retired from the meeting.

The discussion with reference to the improvements in the Athletic Department was resumed.

It was agreed that each project should be considered separately, and roll was called on each one.

Project No. 1 - Painting seat numbers on Stadium: Voting "aye" Hopper, Chambers, Looney, Ledbetter. Voting "no" McBride and Hatchett.

Project No. 2 - Painting sections above doors: All members voted "aye".

Project No. 3 - 3,000 knockdown seats: Voting "aye" Hopper, Chambers, Looney, Ledbetter. Voting "no" McBride and Hatchett.

Project No. 4 - Field Cover: Voting "aye" Hopper, Looney, McBride, Chambers. Voting "no" Hatchett, Ledbetter. (Dr. Chambers first voted "no" and later changed to "aye").

Project No. 5 - Rebuild baseball bleachers: Voting "aye" Hopper, Chambers, McBride, Looney, Ledbetter. Voting "no" Hatchett.

Project No. 6 - Enlarging vault and changes in ticket office: All members voted "aye".

Project No. 7 - Files for ticket office: All members voted "aye".

Project No. 8 - Furniture for new athletic offices: Voted not to authorize this expenditure at this time.

Project No. 9 - Construct athletic offices under east Stadium; also indoor track and quarters for track team: Voting "aye" Hopper, Chambers, McBride, Looney, and Ledbetter. Voting "no" Hatchett.

Regents Looney, Chambers, and McBride, jointly offered a motion that the Director of Athletics and the Superintendent of University Utilities be requested to make a study of the press box situation in the Stadium, and make recommendations at the next meeting of the Board looking toward the enlargement of the press boxes to make them adequate for present needs.

Motion carried.

President Bizzell presented the recommendations of Mr. Stidham for appointments on his staff effective January 1, 1940, and the salary recommended in each case. There was a brief discussion concerning these appointments but no action was taken, it being the sense of the Board that this matter be deferred until Lloyd Noble was present.

In view of the fact that Arthur "Pete" Smith had been serving on a very low salary, and was giving full-time to the department, a motion was made that his salary be fixed at \$1,800 as recommended, and that his appointment be effective January 1, 1940.

Motion carried.

President Bizzell presented the petition of Mrs. S. A. Watters that her niece Betty Lou Akers whose parents live in Webster Grove, Missouri, be given resident privileges while attending the University since she (Mrs. Watters) is providing the entire financial support for this student.

It was the sense of the Board that this petition be not approved.

President Bizzell recommended that a laboratory fee of \$1.50 be approved for courses in Speech 1 and Speech 21, stating that a considerable amount of material (recording discs) and other sound equipment was used in these courses and that the regular budget for the department was not sufficient to take care of these items.

Recommendation approved.

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President Bizzell recommended that the fees in the summer school be fixed at \$3.50 per credit hour for resident students, and \$5.00 per credit hour for non-resident students; an increase of .50 per credit hour for resident students over the summer school of 1939.

Recommendation approved.

Regent Hatchett asked that he be excused at 3:15 p.m.

President Bizzell recommended also the following salary schedule for teachers serving in the summer school:

Deans	\$350.00 per month
Professors	300.00 per month
Associate Professors	250.00 per month
Assistant Professors	200.00 per month
Instructors	175.00 per month
Assistants	125.00 per month

He submitted the roster showing the faculty appointed to serve during the summer school and recommended approval of those appearing on the list.

It was estimated that the total budget for the summer school would be approximately \$82,000.00, and that not to exceed \$28,822.44 would be required from appropriated funds; the balance to come from course fees.

It was voted to approve the fees as recommended.

It was voted to approve the salary schedule and the budget subject to budgetary and monetary limitations that may later develop.

President Bizzell recommended the appointment of E. Thayer Curry to the position of Assistant Professor of Speech, effective September 1, 1940 and that he be placed on the salary schedule at the rate of \$2,043, for the school year of 1940-41.

President Bizzell explained that Dr. Peterson, appointed in the spring of 1939 had later asked for a release and that Mr. Anderson who was secured to fill the vacancy was lacking in training and experience, and that he would not be retained for next year.

The appointment of Mr. Curry was approved.

President Bizzell recommended approval of a curriculum leading to the degree of Bachelor of Science in Industrial Arts to be offered by the College of Education. He stated that the College of Engineering and the College of Education were cooperating in this curriculum and that no additional expense would be involved.

The President's recommendation was approved.

The President recommended that the regulation of the Board of Regents providing for scholarships for winners during the interscholastic

meet be modified to the extent that the scholarships be available during any succeeding enrolment instead of being limited during the "session next succeeding the awarding of the scholarship."

The recommendation was approved.

President Bizzell called attention to the conference on February 20 sponsored by the Alumni Association to which the Board of Regents, the Executive Officers of the Dad's Association, and the Mother's Association, and the members of the Alumni Councils throughout the State had been invited, and urged the members of the Board to attend if possible.

There was a discussion concerning the next meeting of the Board and it was voted to call a meeting on Friday, March 8.

There being no further business, the meeting was adjourned at 4:30 p.m.

Emil R. Kraettli
Emil R. Kraettli, Secretary.