

**THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES**

February 27-28, 1953

**For the confidential information
of the Board of Trustee**

The meeting of the Board of Trustees was called to order in the Board room at 10 a.m. on February 27. The following members answered the roll call: Simpson, Reed, Del Monte, Sullivan, Hansen, Burwell, Patterson, Brough, Jones, Newton and Chamberlain, and ex-officio, Stolt and Humphrey. Absent were McCracken and ex-officio, Rogers.

On behalf of the Board of Trustees, President Simpson welcomed Mr. Roy Chamberlain, new member of the Board, and then asked Secretary Del Monte to administer the oath of office to Mr. Chamberlain.

Mr. Jones moved that the minutes of the February 4 meeting of the Board of Trustees be approved. Mr. Sullivan seconded the motion and it was carried.

President Simpson appointed Mr. Del Monte, Mrs. Patterson, and himself as Trustee members to serve with Professors C. F. Barr, G. H. Starr, and W. E. Daniels on the Committee on Honorary Degrees. President Humphrey stated that a meeting of the Committee would be held at 9 a.m. on Saturday, February 28.

Following announcements by President Humphrey, attention was given to the President's Report. Mr. Burwell moved, Mrs. Patterson seconded, and it was carried that the following appointments be approved:

1. Mr. Dean R. Robinson as County Agent in Carbon County, effective March 1, 1953, at a salary rate of \$4,572 on a twelve-month basis.
2. Mr. Thomas Lester Birch as Acting Superintendent of the Archer Substation, effective March 1, 1953, at a salary rate of \$3,444 on a twelve-month basis.
3. Miss Jane Kinney Smith as Supply Instructor in Nursing, effective March 1, 1953, at a salary rate of \$4,020 on a twelve-month

OATH OF OFFICE,
MR. CHAMBERLAIN

APPROVAL OF MINUTES

COMMITTEE ON
HONORARY DEGREES

APPOINTMENTS

Robinson

Birch

Smith

basis.

4. Colonel Malcolm E. Craig as Receiving and inventory Assistant in the Property Department, effective February 1, 1953, at a salary rate of \$4,008 on a twelve-month basis.

Craig

5. Three assistant football coaches, effective February 8, 1953, as follows: Mr. George Clayton Stapleton, \$6,000 on a twelve-month basis; Mr. Robert Bruce Hicks, \$5,508 on a twelve-month basis; and Mr. Louis G. McCullough, \$5,004 on a twelve-month basis.

Stapleton

Hicks

McCullough

For the information of the Board of Trustees, President Humphrey reported the following resignations:

RESIGNATIONS

1. Mr. R. M. Thomas, Assistant Professor of Veterinary Science and Assistant Veterinarian in the Experiment Station, effective February 15, 1953, to accept a position offering "greater opportunity and increased salary."

Thomas

2. Mr. G. S. Ulibarri, Supply Instructor in Modern Languages, effective March 20, 1953, to accept a position at the Mayo Clinic, where his wife will be undergoing treatment.

Ulibarri

3. Mr. Andrew Long, Instructor in Pharmacy, effective December 19, 1953, to accept another position.

Long

Mr. Del Monte moved, Mr. Brough seconded, and it was carried that the following recommendations with regard to leaves of absence be approved:

LEAVES OF ABSENCE

1. That Mr. J. Stuart Goodman, Instructor in English, be granted an extension of military leave without pay through the academic year 1953-54, with the understanding that he either return to the University at the beginning of the 1954-55 academic year or sever his connections with the University.

Goodman

2. That Mr. Robert I. Russin, Associate Professor of Art, be granted a leave of absence for the academic year 1953-54, the leave to be without pay if Mr. Russin secures the Ford Foundation fellowship for which he has applied or a sabbatical leave for study in Italy if he does not receive the fellowship.

Russin

3. That Mr. Edgar J. Lewis' sabbatical leave for the academic year 1953-54 be canceled at his request.

Lewis

1. Mechanical Engineering Department. Mr. Del Monte moved that an appropriation of \$550 be made to the Mechanical Engineering Department to provide for additional funds needed for supplies and assistants for the remainder of the fiscal year. Mr. Hansen seconded the motion and it was carried.

BUDGET CHANGES

Mechanical
Engineering
Department

2. Division of Music. Mr. Del Monte moved that an appropriation of \$985 be made for emergency instruction in the Division of Music for the spring quarter, it being understood that fees received from students enrolled for private instruction will go into the General Fund to replace the amount appropriated. Mr. Newton seconded the motion and it was carried.

Division of Music

3. Community Service Department. Mr. Burwell moved that the Board authorize an appropriation of \$230.20 to cover the expenditures for postage, telephone, telegraph, and supplies involved in carrying out that department's share of the high school senior testing program. Mr. Sullivan seconded the motion and it was carried.

Community Service
Department

4. University Architect. Mr. Burwell moved that an appropriation of \$200 be made to the University Architect's department to provide sufficient funds for part-time personal services for the department for the remainder of the fiscal year 1952-53. Mr. Chamberlain seconded the motion and it was carried.

University Architect

5. Library. Mr. Sullivan moved that an appropriation of \$271.70 be made to permit installation of a unit heater in the sub-basement of the Library. Mr. Burwell seconded the motion and it was carried.

Library

Mr. Simpson reported that Mr. Martin Littleton of Cody had indicated his intention of donating to the Archives Department of the University Library a very valuable collection of religious books which had belonged to his mother. Mr. Simpson stated that he felt the collection would make the University the outstanding center for religious research in the Rocky Mountain region. Mr. Del Monte moved that President Humphrey be directed to write a letter, at such a time as he deems it appropriate to do so, expressing appreciation on behalf of the Board for the very fine gift. Mr. Sullivan seconded the motion and it was carried.

GIFT OF BOOKS
TO ARCHIVES

6. Studies and Statistics. Mr. Reed moved that the Board authorize an appropriation of \$75 to the Division of Studies and Statistics to cover the cost of supplies needed in preparing the budget for the fiscal year 1953-54. Mr. Sullivan seconded the motion and it was carried.

BUDGET CHANGES

Studies and
Statistics

7. Buildings and Grounds Department. Mr. Brough moved that an appropriation of \$1,376 be made to permit reinstatement for the remainder of the fiscal year 1952-53 of Mr. Conrad M. Sutton in his position as a painter in the Buildings and Grounds Department, from which he was granted military leave on February 1, 1951. Mr. Sullivan seconded the motion and it was carried.

Buildings and
Grounds Department

8. Student Employment Funds. Mr. Reed moved that the Board authorize an appropriation of \$4,624 to provide additional funds needed to cover the increase in wage rates for students employed on the campus, the appropriation to be allocated as follows:

Student Employment
Funds

Student Personnel and Guidance.	\$ 250.00
Student Employment.	2,855.00
News Service.	309.00
Mail Service and Union Post Office.	100.00
Library	<u>1,110.00</u>
Total\$4,624.00

Mr. Burwell seconded the motion and it was carried.

Graduate. Mr. Sullivan moved that the practice of granting summer quarter scholarships to graduate students which has been followed for several years be followed again this year and that five summer quarter scholarships be granted for use by graduate students in the summer of 1953. Mr. Brough seconded the motion and it was carried.

SCHOLARSHIPS

Graduate

1. Correspondence Study. Mr. Del Monte moved that the Board approve the recommendation of Dean W. C. Reusser and the President that the fee for supervised correspondence courses in community colleges, junior colleges, and University centers in Wyoming under organized supervised programs be reduced to \$3.50 per credit hour. Mrs. Patterson seconded the motion and it was carried.

FEES

Correspondence Study

2. Nursing. Mr. Del Monte moved that students of nursing be exempt from payment of the University activity fee for those quarters during their junior and senior years which they spend off the campus. Mr. Reed seconded the motion and it was carried.

Nursing

Mr. Newton moved that the Board grant permission to the Division of Adult Education and Community Service to hold field summer schools in Powell, Sheridan, Gillette, Torrington, and Rock Springs during the summer of 1953, with the understanding that the actual conducting of a school will be contingent upon enrolling a sufficient number of students to make the school self-supporting. Mr. Brough seconded the motion and it was carried.

FIELD SUMMER SCHOOLS

Mr. Sullivan moved, Mr. Newton seconded, and it was carried that the Board approve the following policy in respect to assessment of Wyoming Union dues:

Wyoming Union membership dues will be assessed on those persons listed in the University of Wyoming catalog as resident administrative officers and faculty members who are paid by the University. These persons are to be assessed \$6.00 annual dues with statements to be prepared by the University Business Manager's Office.

All others of academic rank who are not paid by the University (such as the Military department), Bureau of Mines personnel, etc., will be placed on a voluntary membership basis, together with any alumni of the University, the voluntary memberships to be handled through the office of the Union Director.

President Humphrey presented a letter from Mr. L. G. Meeboer, Business Manager, explaining that some difficulty had been experienced in collecting from the DeWald Stone Works the \$15,000 which the firm agreed to pay for the University stone quarry equipment. Mr. Meeboer stated that Mr. DeWald had made a down payment of \$100 and subsequent payments of \$2,000 and \$3,000, leaving an unpaid balance of \$9,900. He indicated that Mr. DeWald had suggested two possible means of settlement: (1) that he be given possession of the equipment by July 1, 1953, and that he sign an agreement and promissory note providing for three equal annual payments in the amount of \$3,300 each, with the note bearing interest at 6 per cent per annum on the unpaid balance; (2) that he sign an agreement and a note in the amount of \$9,900 payable July 1, 1953, with interest at the rate of 6 per cent per annum. After some discussion, it was moved by Mr. Reed that the President and the Business Manager be authorized to enter into a title-retaining contract with Mr. DeWald on the installment basis suggested in Mr. DeWald's first proposal. Mr. Sullivan seconded the motion and it was carried.

WYOMING UNION DUES

STONE QUARRY
EQUIPMENT

For the information of the Trustees President Humphrey presented a letter which he had received from Dean R. R. Hamilton following a conference with him, indicating Dean Hamilton's willingness to have the Board employ Professor George Rudolph on a twelve-month basis instead of his present nine-month basis and ask him to serve as legal adviser for the administration of the University.

LEGAL COUNSEL FOR
THE UNIVERSITY

Consideration was given to a memorandum from Miss Amelia Leino, Chairman of the Division of Nursing, with regard to a possible resurvey of Sheridan's facilities for a school of nursing. Miss Leino presented an estimate of \$600 plus travel expenses which she had secured from the Institute of Nursing Research and Field Service of Teachers College, Columbia University for making the survey. She also reported on a trip she had made to Sheridan to talk with officials of the junior college and the hospital concerning facilities which would be needed for a school of nursing there. In talking with these officials, Miss Leino stated, she found that neither the junior college nor the hospital presently has facilities for a school of nursing, that the new hospital in Sheridan has no space available for a nursing laboratory, and that the very earliest date the freshman year of nursing could be offered in cooperation with the Northern Wyoming Community College would be September 1954. In view of her findings in Sheridan and the high cost of a resurvey, Miss Leino recommended that the resurvey be postponed until such time as the presently developing physical facilities in Sheridan are in operation.

NURSING EDUCATION
SHERIDAN RESURVEY

Mr. Newton expressed dissatisfaction with Miss Leino's report and stated that whatever would be required in the way of instructors, laboratories, and teaching facilities would be available by September 1,

1954. He asked that Miss Leino and the Director of the Northern Wyoming Community College be advised of his remarks. He agreed, however, that the resurvey should be postponed as Miss Leino recommended, and the other Trustees concurred in the recommendation.

At 11:40 the Trustees went to the fourth floor of Old Main to see a wild-life film, which was shown by Mr. William Eberhart. The meeting was then adjourned for lunch. When the Board was called to order at 2 p.m., Mr. L. G. Meeboer, Business Manager, Mr. C. J. Blasing, representative of the engineering firm of Lutz and May, Mr. C. B. Jensen, Superintendent of Buildings and Grounds, and representatives of the bidding companies joined the meeting for the opening of bids on boiler foundation and building alterations, and power piping and insulation for the Power Plant.

The two bids on boiler foundation and building alterations were as follows:

Amos March, Laramie:	Base Bid	\$10,867.70
	Alt. No. 1: Deduct	965.50
	Alt. No. 2: Deduct	476.00
Spiegelberg Lumber and Building Co., Laramie	Base Bid	12,240.00
	Alt. No. 1: Deduct	1,075.00
	Alt. No. 2: Deduct	636.00

The ten bids on power piping and insulation were as follows:

<u>Bidder</u>	<u>Power Piping</u>	<u>Insulation</u>	<u>Days to Complete</u>	<u>Liq. Damages</u>
Crabb Plumbing & Heating Co., Denver, Colo.	\$54,484	\$ 5,581	210	\$10 per day
R. M. Daly & Co., Des Moines, Iowa	---	5,490	---	---
Engineers Ltd. Pipe Line Co., Denver, Colo.	79,146	6,626	180	\$10 per day
Fuel Economy Engineering Co., St. Paul, Minn.	57,861	5,888	120	---
Industrial Heating and Plumbing Co., St. Joseph, Mo.	41,382	5,813	150	---

BIDS ON POWER PLANT
CONSTRUCTION AND
PIPING

<u>Bidder</u>	<u>Power Piping</u>	<u>Insulation</u>	<u>Days to Complete</u>	<u>Liq. Damages</u>
Douglas Jardine, Colorado Springs, Colorado	\$35,700	8,500	---	---
L. M. Marcum, Marshall, Mo.	39,559	---	190	---
Peerless Boiler and Engin. Co., Oklahoma City, Okla.	48,372	4,784	180	\$10 per day
Trautman and Shreve, Inc., Denver, Colo.	60,583	13,940	150	\$25 per day
York Plumbing & Heating Co., Denver, Colo.	60,444	5,029	150	\$25 per day

After representatives of the bidding companies had left the meeting, Mr. Blasing stated that the bids for insulation were entirely out of line. He recommended that none of the bids for insulation be accepted and that the work be done by University employees. Mr. Meeboer stated that the total cost of the three projects would be almost \$15,500 more than had been appropriated and reserved for the work. The Board asked Mr. Meeboer, Mr. Blasing, and Mr. Jensen to study the bids and the possibility of securing the additional money needed and report back later in the afternoon.

When Mr. Meeboer, Mr. Blasing, and Mr. Jensen had left the meeting, consideration was again given to the President's Report.

The President presented a letter from Miss Amelia Leino, Chairman of the Division of Nursing, describing a plan which had been established by the Memorial Hospital of Laramie County for providing grants-in-aid to students from that County who enroll in the nursing program at the University of Wyoming. A number of Trustees expressed interest in trying to encourage establishment of similar plans in other Wyoming communities and asked that copies of the agreement with the Memorial Hospital of Laramie County be sent to them for their use in talking with officials of hospitals in their counties.

NURSING EDUCATION--
GRANTS-IN-AID

For the information of the Board, President Humphrey presented a statement prepared by the Business Manager showing the percentage of Main University budget spent for athletics each year from 1937-38 to the present. He pointed out that the percentage of Main University funds spent for athletics, beginning with 2.5 per cent in 1937-38 and ending with 3.1 per cent in 1952-53, had not increased or decreased materially over the fifteen-year period.

The Business Manager reported that a new statement of values had been filed with the Mountain States Inspection Bureau with the request that the Bureau supply new insurance rates based on these values. The new statement of values, according to the Business Manager's report, added \$724,580 to the valuation of campus property, the Stock and Agronomy Farms, and the Science Camp.

For the information of the Trustees, President Humphrey presented financial statements revised as of January 31, 1953, which were prepared in the office of the Business Manager.

President Humphrey handed to each of the Trustees a book containing evaluation sheets prepared by the department heads and deans with regard to each person recommended for continuing tenure, promotion, or continuation on probationary tenure. He stated that recommendations with regard to continuing tenure and promotion would, unless otherwise stated, take effect with the beginning of the next contract year. He indicated that budget reductions for the next biennium might make it necessary to inform some of the individuals listed that their employment would be terminated at the close of the 1952-53 session. Dr. Humphrey also asked that it be understood that in approving faculty members at the various community

RELATIONSHIP OF
MAIN UNIVERSITY
AND ATHLETIC
EXPENDITURES

INSURANCE REPORT

FINANCIAL STATEMENTS

CONTINUING TENURE
AND PROMOTION

colleges there is no obligation on the part of the University to provide employment on the University campus if for any reason employment is discontinued at the community college.

Adult Education and Community Service. Mr. Sullivan moved, Mr. Burwell seconded, and it was carried that the following recommendations with respect to faculty members in the Division of Adult Education and Community Service be approved with the understanding that, because of budget reductions, it may be necessary to inform John E. Swanson his services will be discontinued at the close of the 1952-53 session:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Dugan, Arthur H.	Asst. Prof. of Educ.; Head, Dept. of Exten. Classes	Promotion to Assoc. Prof.
Swanson, John E.	Asst. Prof. of Poli. Sci.; Super. of Public Admin. Projects	Continuing tenure

Mr. Del Monte moved, Mrs. Patterson seconded, and it was carried that the following recommendations with regard to personnel at community colleges be approved:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
<u>NORTHWEST JUNIOR COLLEGE</u>		
Foster, Emmett M.	Instr. in Educ.	Continuing tenure
<u>NORTHERN WYOMING COMMUNITY COLLEGE</u>		
Coffin, Louis Q.	Instr. in Poli. Sci.	Continuing tenure

College of Agriculture. Mr. Burwell moved, Mr. Brough seconded, and it was carried that the following recommendations with regard to faculty in the College of Agriculture be approved. Action on the recommendation concerning Mr. C. F. Becker was withheld pending receipt of additional information concerning him:

Adult Education
and
Community Service

College of Agriculture

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Bohmont, Dale W.	Asst. Prof. of Agronomy; Asst. Agronomist	Promotion to Assoc. Prof. and Assoc. Agronomist
Reed, Joyce M.	Asst. Prof. of Home Economics	Reinstated on continuing tenure
Robb, Theodore R.	Asst. Prof. in Exten.; Exten. Entomologist	Continuing tenure
Walters, Hubert J.	Asst. Prof. of Agronomy and Asst. Plant Pathologist	Continuing tenure

College of Commerce and Industry. Mr. Del Monte moved, Mrs. Patterson seconded, and it was carried that the following recommendations with regard to a faculty member in the College of Commerce and Industry be approved:

College of Commerce
and Industry

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Walther, Timon A.	Instr. in Statistics	Promotion to Asst. Prof.

College of Education. Mr. Sullivan moved, Mr. Burwell seconded, and it was carried that the following recommendations with regard to College of Education faculty members be approved:

College of Education

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Bragg, Louis A.	Assoc. Prof. of Educ.; Principal, Univ. High School	Continuing tenure
Butler, Theodore A.	Instr. in Voc. Agric. Educ.	Continuing tenure and promotion to Asst. Prof. (promotion to be given on completion of Master's degree require- ments)

College of Engineering. Mr. Brough moved, Mr. Hansen seconded, and it was carried that the following recommendations with regard to

College of Engineering

faculty members in the College of Engineering be approved:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Beach, R. Kenneth	Asst. Prof. of Elec. Engin.	Promotion to Assoc. Prof.
Duncan, Walter E.	Asst. Prof.; Chem. Engin. in N.R.R.I.	Promotion to Assoc. Prof.
Spenner, Frank J.	Asst. Prof. of Engin. Drawing	Promotion to Assoc. Prof. of Gen. Engin. and Engin. Drawing
Stafford, Alfred B.	Assoc. Prof. of Mech. Engin.	Promotion to Prof. of Mech. & Aero. Engin.
Zoller, J. Harold	Asst. Prof. of Civil Engin.	Promotion to Assoc. Prof.

College of Law. Mr. Burwell moved, Mr. Hansen seconded, and it carried that the following recommendation with regard to a College of Law faculty member be approved:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Rudolph, E. George	Assoc. Prof. of Law	Promotion to Prof.

At 4:20 p.m., Mr. Meeboer, Mr. Blasing, and Mr. Jensen were invited into the meeting to present their recommendations in respect to bids received for boiler foundations and building alterations, and power piping and insulation. Mr. Meeboer, speaking for the group, stated that the low bids were acceptable; that if the base bid of Amos March (\$10,867.70) were accepted for boiler foundation and building alterations, and the base bid of Douglas Jardine (\$35,700) were accepted for power piping, the total necessary expenditure would be \$46,567.70. Adding to that figure an estimated \$3,000 for insulation to be completed by the University and an estimated \$800 for additional engineering fees, the total amount needed would be \$50,367.70.

Mr. Meeboer stated that the amount of \$35,000 had been appropriated

College of Law

BIDS ON POWER PLANT
CONSTRUCTION AND
PIPING

and reserved for the work in question, leaving a shortage of \$15,367.70. He then made the following recommendations: that the \$10,000 which has been carried in reserve in the Building Improvement Fund be appropriated to apply on the cost of the work (as part of the original \$35,000), and that an appropriation not to exceed \$15,500 be authorized from the Surplus Buildings Sales Reserve (current free balance, \$113,568.38) to be used if needed.

After some discussion, Mr. Reed moved that the bid of Amos March in the amount of \$10,867.70 be accepted for the boiler foundation and building alterations, that the bid of Douglas Jardine in the amount of \$35,700 be accepted for power piping, that all bids for insulation be rejected, and that the Business Manager be directed to enter into contracts with the successful bidders. Mr. Del Monte seconded the motion and it was carried.

Mr. Reed then moved that, because of the emergency existing in respect to the Power Plant, the Business Manager be directed to pay for the work covered in acceptance of the bids from the following sources: \$25,000, original appropriation; \$10,000, University Building Improvement Fund Reserve; and \$15,500 (or as much of that amount as needed), Surplus Buildings Sales Reserve. Mr. Del Monte seconded the motion and it was carried.

College of Liberal Arts. After Mr. Meeboer, Mr. Blasing, and Mr. Jensen had left the meeting, Mr. Burwell moved, Mrs. Patterson seconded, and it was carried that the following recommendations with regard to faculty in the College of Liberal Arts be approved, with the understanding that if budget reductions make it necessary, Mr. Theodore Walstrum will be notified that his services will be discontinued at the

CONTINUING TENURE
AND PROMOTION

College of
Liberal Arts

end of the 1952-53 academic year.

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Bolowtowsky, Ilya	Asst. Prof. of Art	Promotion to Assoc. Prof.
Fautin, Reed W.	Assoc. Prof. of Zool. and Director Wildlife Cons. & Management	Promotion to Prof.
Hetherington, Hugh W.	Assoc. Prof. of English	Promotion to Prof.
Leino, Amelia	Assoc. Prof. of Nurs.; Chm., Div. of Nursing; Asst. Dean, College of Liberal Arts	Continuing tenure, effective Jan. 1, 1954
Mathison, John K.	Asst. Prof. of English	Promotion to Assoc. Prof.
Mears, Brainerd	Asst. Prof. of Geology	Continuing tenure
Parker, Charles M.	Instr. in Speech	Continuing tenure
Raulins, Rebecca	Instr. in Chem.	Continuing tenure
Shaw, Alan B.	Asst. Prof. of Geology	Continuing tenure
Smith, S. Roscoe	Assoc. Prof. of Mathematics	Promotion to Prof.
Walstrum, Theodore P.	Asst. Prof. of Music	Continuing tenure
Walthall, Wilson J.	Asst. Prof. of Psych. & Philos.	Promotion to Assoc. Prof.

College of Pharmacy. Mr. Del Monte moved, Mr. Sullivan seconded,

College of Pharmacy

and it was carried that the following recommendations in respect to faculty in the College of Pharmacy be approved:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Bone, Jack N.	Asst. Prof. of Pharmacy	Promotion to Assoc. Prof. upon receipt of Ph.D. degree

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Kahl, Raymond J.	Asst. Prof. of Pharmaceutical Chemistry	Continuing tenure

Library. Mr. Del Monte moved, Mr. Sullivan seconded, and it was carried that the following recommendation in respect to a faculty member in the Library be approved:

<u>Name</u>	<u>Title</u>	<u>Recommendation</u>
Ridings, Reta W.	Asst. Prof.; Reference Librarian	Reinstated on continuing tenure

Consideration was given next to the recommendations of the department heads and deans with respect to faculty members to be continued on probationary tenure during 1953-54. Again President Humphrey stated to the Trustees that it might be necessary when final adjustments are made in the budget to inform some of the faculty members listed that their services will be terminated at the end of the 1952-53 session. He also stated that it should be understood that in approving faculty members at the various community colleges there is no obligation on the part of the University to provide employment on the University campus if for any reason employment is discontinued at the community college.

Adult Education and Community Service. Mr. Newton moved, Mr. Sullivan seconded, and it was carried that the following faculty members in the Division of Adult Education and Community Service be continued on probationary tenure during 1953-54:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Brown, Warren M.	Casper Extension Center	Instr. in Adult Educ. and Com. Service	1st

LibraryPROBATIONARY TENUREAdult Education
and
Community Service

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Snarr, Otto W.	Exten. Classes	Instr. in Adult Educ. and Com. Serv.; Super., Exten. Classes	2nd

NORTHWEST JUNIOR COLLEGE

Mikesell, O. H.	Agriculture	Instructor	1st
Perkins, G. F.	Music	Instructor	1st
Valenta, Jerry L.	Commerce	Instructor	2nd
Wolsborn, H. A.	Mathematics	Instructor	2nd

NORTHERN WYOMING COMMUNITY COLLEGE

Anderson, Mrs. R.	Commerce	Instructor	2nd
Barnes, John B.	Adult Educ. and Com. Service	Instructor	2nd
Baxter, Hurshell F.	Chemistry	Instructor	2nd
Bulpitt, Mildred B.	English	Instructor	1st
Klinckman, Evelyn	Zoology	Instructor	2nd
McClain, Mrs. Ione	Library	Instructor	1st
Martinsen, R. I.	Art	Instructor	1st

SOUTHEAST CENTER

Bruce, Mrs. Nina	Commerce	Instructor	1st
Conger, Albert C.	Adult Educ. & Com. Service	Instructor and Director of Center	2nd
Dighera, James A.	English	Instructor	3rd
Moseley, Luther B.	Agriculture	Instructor	1st

College of Agriculture. Mr. Hansen moved, Mr. Brough seconded, and College of Agriculture

it was carried that the following faculty members in the College of Agriculture be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Benn, Harold W.	Agriculture	Assoc. Prof.; Asst. Dean of Ag. in charge of teaching	1st

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Botkin, Merwin P.	Anim. Prod.	Asst. Prof.	1st
Costello, Bernadette	Home Economics	Asst. Prof.	2nd
DeFoliart, Gene R.	Entom. & Parasit.	Asst. Prof. of Entom. and Asst. Res. Entomologist	2nd
Gilden, Robert O.	Agric. Exten.	Asst. Prof. in Exten.; Agric. Engineer	2nd
Leonard, Robert O.	Wool	Instr. & Res. Asst.	2nd
Margerum, E. P.	Anim. Prod.	Asst. Prof.	2nd
Mortland, Max M.	Agron. & Ag. Econ.	Asst. Prof. of Agron. & Asst. Agronomist	2nd
Oller, Gladys H.	Agric. Exten.	Asst. Prof. in Exten.; 1st Assoc. State Club Leader	
Payne, Irene	Ag. Res. Chem.	Instr.; Service Chemist	2nd
Pfeifer, Robert P.	Agron. & Ag. Econ.	Asst. Prof. of Agron. & Asst. Agronomist	1st
Robertstad, G. W.	Vet. Sci. & Bact.	Instr.; Res. Asst.	2nd
Slater, Irvin W.	Agric. Exten.	Asst. Prof. in Exten.; 1st Exten. Dairyman	
Stratton, Paul O.	Anim. Prod.	Asst. Prof.	1st
Tompkin, J. R.	Agron. & Ag. Econ.	Asst. Prof. of Ag. Econ. & Asst. Ag. Economist	2nd

College of Commerce and Industry. Mr. Burwell moved, Mr. Brough seconded, and it was carried that the following faculty members in the College of Commerce and Industry be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Chastain, James J.	Bus. Admin.	Instructor	1st
Hussey, Virginia L.	Secre. Science	Instructor	1st

College of Commerce and Industry

College of Education. Mr. Newton moved, Mr. Sullivan seconded, and it was carried that the faculty member listed below be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Wassum, Sylvesta	Secon. Educ.	Asst. Prof. of Music Educ.	3rd

College of Education

College of Engineering. Mr. Burwell moved, Mrs. Patterson seconded, and it was carried that the following faculty members in the College of Engineering be continued on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Eichelberger, R. L.	N.R.R.I.	Instr.; Chemist	1st
Law, Ralph D.	N.R.R.I.	Asst. Prof.; Petr. Res. Chemist	1st
Prostel, Edward	N.R.R.I.	Asst. Prof.; Coal Res. Engin.	1st
Stevens, Raymond F.	N.R.R.I.	Instr.; Chemist	2nd

College of Engineering

College of Law. Mr. Burwell moved, Mr. Hansen seconded, and it was carried that the faculty member listed below be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Bloomenthal, H. S.	Law	Asst. Prof. of Law	1st

College of Law

College of Liberal Arts. Mr. Sullivan moved, Mr. Burwell seconded, and it was carried that the following faculty members in the College of Liberal Arts be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Beale, Alvin F.	Chemistry	Asst. Prof.	1st
Beall, Charles P.	Poli. Sci.	Asst. Prof.	1st
Douglas, John E.	Chemistry	Instructor	1st

College of Liberal Arts

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Ford, Minnie B.	Nursing	Asst. Prof.	1st
Houston, Robert S.	Geology	Instructor	1st
Kuhn, William E.	Econ. & Soc.	Asst. Prof.	1st
Seltenrich, C. P.	Music	Asst. Prof.	2nd
Thomas, Glyn N.	English	Asst. Prof.	3rd
Thurston, G. B.	Physics	Asst. Prof.	1st
Tupper, Dorothy E.	Nursing	Instructor	1st
Wilcox, Walter	Journalism	Instructor	2nd

College of Pharmacy. Mr. Brough moved, Mr. Burwell seconded, and it was carried that the faculty member listed below be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Parkinson, Ramona	Pharmacy	Asst. Prof. of Pharmaceutical Administration	1st

Library. Mr. Del Monte moved, Mrs. Patterson seconded, and it was carried that the following faculty members in the Library be retained on probationary tenure:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Krakel, Dean F.	Archives	Instr.; Archivist	1st
Mason, E. G.	Cataloging	Instr.; Asst. Cataloger	1st
Miller, Margaret	Circulation	Instr.; Head Circulation Dept.	1st

Student Personnel and Guidance. Mr. Burwell moved, Mrs. Patterson seconded, and it was carried that the following faculty member be retained on probationary tenure:

College of Pharmacy

Library

Student Personnel
and Guidance

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Year</u>
Peterson, Lars P.	Stu. Pers. and Guidance	Instr.; Counselor & Asst. to Super. of Vet. Relations	1st

The Board adjourned at 5:20 p.m. and reassembled at 10:10 a.m. on February 28, with the same members present as were present the previous day.

Consideration was given first to the cases of faculty members for whom some special recommendation had been made.

Adult Education and Community Service. Mr. Hansen moved, Mr. Brough seconded, and it was carried that the following recommendations with regard to faculty members in the Division of Adult Education and Community Service be approved:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Recommendation</u>
Hultgren, L. J.	Northern Wyo. Com. College	Dir. and Instr. in Psych.	Released at end of present contract
Johnson, Nye H.	Southeast Center	Instr. in Hist. & Poli. Sci.	Resigned at end of present contract

College of Agriculture. Mr. Reed moved, Mr. Brough seconded, and it was carried that the following recommendations in respect to faculty members in the College of Agriculture be approved:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Recommendation</u>
Burzlaff, Donald	Forestry & Range Mgt.	Supply Instr.	One-year appointment; not to be renewed
Moncur, Earl	Ag. Exten.	Asst. Prof. in Exten.; Exten. Economist	One-year appointment; not to be renewed

SPECIAL CASES

Adult Education and Community Service

College of Agriculture

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Recommendation</u>
Prier, James E.	Vet. Science & Bacteriology	Assoc. Prof.	Resigned, effective of Vet. Sci.; Apr. 15, 1953, Head, Dept. after being informed Vet. Sci. & his contract would Bacteriology not be renewed
Stevens, Ira M.	Agron. & Ag. Econ.	Asst. Prof. & Asst. Ag. Economist	Reduction in rank of Ag. Econ. to Instructor to permit Mr. Stevens to become candidate for degree from University.

College of Education. Mrs. Patterson moved, Mr. Brough seconded, and it was carried that the following recommendations in respect to faculty members in the College of Education be approved:

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Recommendation</u>
Dolan, Joseph P.	Health and Phys. Educ.	Asst. Prof.	Transferred to Guidance Dept., devoting one-half time to physical education in the Univ. High School and to coaching U.H.S. athletic teams.
Thomas, Leo	College of Education	Adm. Asst. to Dean	To be given rank of Asst. Prof. of Educ.
Van Deusen, May	Voc. Educ.	Asst. Prof. Teacher Trainer; Asst. Prof.	Released at end of of Home Econ. present contract

College of Liberal Arts. Mr. Hansen moved, Mr. Sullivan seconded, and it was carried that the following recommendations in respect to faculty members in the College of Liberal Arts be approved:

College of Education

College of
Liberal Arts

<u>Name</u>	<u>Department</u>	<u>Title</u>	<u>Recommendation</u>
Bachmura, Frank	Econ. & Soc.	Supply Asst. Prof. of Econ. & Soc.	Supply appointment; not to be renewed
Brager, Nielsen, Harald	Music	Supply Instr.	Supply appointment; not to be renewed
Bresson, Amel L.	Chemistry	Supply Instr.	Continued on staff as Supply Instr. for 1953-54
Bueche, F. J.	Physics	Asst. Prof.	Resigned at end of present contract
Hewitt, Ray S.	English	Supply Instr.	Placed on staff as Instr.
Jeanes, R. W.	Modern Lang.	Asst. Prof.	Resigned at end of present contract
O'Callaghan, J. A.	History	Supply Instr.	Supply appointment; not to be renewed
Smith, Harry M.	Zool. & Physiology	Supply Assoc. Prof.	Placed on regular staff as Assoc. Prof. if budget permits
Ulibarri, G. S.	Modern Lang.	Supply Instr.	Resigned, effective March 20, 1953

Mrs. Patterson moved that the Board approve the appointment of Mr. Stanley Glass as Part-time Supply Instructor in Statistics, effective September 1, 1953, at a salary rate of \$2,400 for the academic year 1953-54. Mr. Reed seconded the motion and it was carried.

APPOINTMENT

Glass

1. Mr. Reed moved that, because of ill health, Mr. W. E. Daniels, Professor of Accounting, be granted a leave without pay for the academic year 1953-54. Mrs. Patterson seconded the motion and it was carried.

LEAVES OF ABSENCE

Daniels

2. Mr. Reed moved that Dr. Clarence D. Jayne, Assistant to the Dean of Adult Education and Community Service and Head of the Department of Adult Education, be granted a leave without pay for the period May 1

Jayne

to July 31, 1953, to permit him to accept an offer of a grant from the Department of State to serve as a specialist for the Seminar for Adult Education at Frankfort University in Germany during the summer of 1953. Mrs. Patterson seconded the motion and it was carried.

1. Accounting Department. Mr. Del Monte moved that Dr. Jean F. Messer be named Acting Head of the Accounting Department for the academic year 1953-54, beginning September 1, 1953. Mr. Chamberlain seconded the motion and it was carried.

2. Statistics Department. Mr. Hansen moved that Mr. Timon Walther be named Acting Head of the Statistics Department for the academic year 1953-54, beginning September 1, 1953. Mrs. Patterson seconded the motion and it was carried.

College of Liberal Arts. Mr. Burwell moved that an appropriation of \$4,437 be made for additional teaching assistance in the following departments of the College of Liberal Arts for the spring quarter, with the understanding that every effort will be made to reduce the amount actually spent:

English	\$ 600.00
Mathematics	2,400.00
Physics	837.00
Speech	<u>600.00</u>
Total	\$4,437.00

Mr. Reed seconded the motion and it was carried.

University High School. President Humphrey presented a request from Dr. L. A. Bragg, Principal of the University High School, for the following fee changes in the University High School, to be effective at the beginning of the 1953-54 school year: for grades 9 to 12, an increase in regular fees of \$5.25 per year and the charging of a flat

ACTING
DEPARTMENT HEADS

Accounting Department

Statistics Department

BUDGET CHANGE

College of
Liberal Arts

FEES

University High School

laboratory fee of \$6.00 per year instead of the schedule of special fees now charged; for grades 7 and 8, an increase in regular fees of \$6.00 per year; and allocation of the \$4.50 gymnasium fee to the University High School for use in purchasing physical education equipment and supplies, with the understanding that the High School will assume full responsibility for all expenses in connection with its physical education program.

Mr. Reed moved that the changes be approved with the suggestion that, since the University High School relieves the burden on the Laramie High School, President Humphrey contact the Laramie School Board to see what can be done about getting the Board to share the expense of maintaining the University High School. Mr. Del Monte seconded the motion and it was carried.

President Humphrey presented a letter from Mr. A. L. Keeney, Dean of Men, requesting that the rental rate in Wyoming Hall be increased \$5.00 per quarter, beginning with the spring quarter of the current session. Mr. Reed moved that the increase be authorized. Mr. Sullivan seconded the motion and it was carried.

In view of the Trustees' request that certain features be included in the contract with the new football coach, President Humphrey presented a summary of the terms of the University's contract with Coach Phil Dickens. President Humphrey stated that the contract would be for a period of three years and two months, at a salary of \$10,000 for the first year, \$10,500 for the second year, and \$11,000 for the third year. He explained the provision that had been made to withhold \$75 each month from Coach Dickens' salary and invest the money in Government bonds, the investments to accrue to Coach Dickens if he fulfills his contract or to the University if Coach Dickens breaks

RENTAL RATES,
WYOMING HALL

CONTRACT WITH
COACH PHIL
DICKENS

his contract. Dr. Humphrey stated that Coach Dickens would be charged a rental of \$50 per month on the house at 719 Ivinson and that a total allowance of \$500 for moving expenses for Coach Dickens and his assistants would be allowed. Mr. Reed moved that the contract be approved. Mr. Chamberlain seconded the motion and it was carried.

President Humphrey presented information which he had received from the L. G. Balfour Company with regard to a pin to be awarded to the fifty-year graduates of the University each year at Homecoming. Dr. Humphrey had secured sketches of the proposed pin and also price lists. He stated that if the Trustees decided to have the class year placed on the back of the pin rather than on the front, the pins could be ordered in quantity at a saving to the University. After some discussion, Mr. Reed moved that President Humphrey be authorized to select the design of the pin, to be ordered in 10K gold, with stone, and with the class year engraved on the back, and that whatever appropriation is required to cover the cost of the pins be authorized. Mr. Newton seconded the motion and it was carried.

The additional information requested by the Trustees concerning Mr. C. F. Becker, Assistant Professor of Agricultural Engineering and Assistant Agricultural Engineer, who was recommended for continuing tenure in the College of Agriculture, was handed to the Trustees. After consideration of this information, Mr. Newton moved that Mr. Becker be placed on continuing tenure. Mr. Jones seconded the motion and it was carried.

For the information of the Trustees, President Humphrey presented a report indicating that the Mountain States Inspection Bureau had

PINS FOR
FIFTY-YEAR
GRADUATES

CONTINUING TENURE

INSURANCE RATES

advised the University of new rates for fire and extended coverage, to be effective on March 1, 1953. He pointed out that the new rates represented a reduction of .009 per \$100 on campus properties and a reduction of .066 per \$100 on the University Science Camp.

A report was presented to the Trustees on the meeting held earlier in the morning by the Committee on Honorary Degrees. President Humphrey stated that the Committee recommended the following names of persons to receive the honorary degree of Doctor of Laws at the June Commencement:

Senator Frank A. Barrett, Washington, D. C.
 Dr. S. H. Knight, Laramie, Wyoming
 Dr. George P. Johnston, Cheyenne, Wyoming
 Mr. R. W. Lazear, Cheyenne, Wyoming

Mr. Hansen moved that the recommendations of the Committee be approved.

Mr. Sullivan seconded the motion and it was carried.

President Humphrey reported to the Trustees that the 32nd Legislature had made considerable reduction in the budget requests of the University for 1953-55. He presented the following table indicating the amount of the University's requests, the actual appropriations, and the necessary reductions:

<u>College or Department</u>	<u>1953-55 Request</u>	<u>Ways and Means Recommendation</u>	<u>Proposed Reductions</u>
Main University	\$ 7,851,712.44	\$7,371,712.44	\$ 480,000.00
Agricultural Extension	1,052,847.42	920,047.42	132,800.00
Agric. Substations	370,109.75	348,509.75	21,600.00
Schools of Nursing	160,400.00	125,000.00	35,400.00
Div. of Business Research	36,100.00	---	36,100.00
Coop. Medical Training	110,000.00	110,000.00	---
Library & Dairy Farm	<u>1,698,779.00</u>	<u>---</u>	<u>1,698,779.00</u>
Totals	\$11,279,948.61	\$8,875,269.61	\$2,404,679.00

Dr. Humphrey asked the Board's advice on the question of releasing a story to the newspapers concerning the reductions, and he handed to the Trustees copies of a suggested news release which he had prepared.

HONORARY DEGREES

PROPOSED REDUCTIONS
IN 1953-55 BUDGET

After some discussion, Mr. Reed suggested that Mr. Chamberlain and Mr. Burwell be asked to work with Dr. Humphrey on a revision of the statement during the noon hour.

The Board adjourned at 12 o'clock and reassembled at 2:15 p.m.

The suggested news release as revised was discussed at some length, and the Board finally decided that it would be best not to issue a statement of any kind.

After some further discussion of the proposed reductions in the 1953-55 budget, Mr. Reed moved that the Board direct President Humphrey to use the figures listed under "Actual Possible Reductions" in the schedule of proposed budget reductions as a guide from which to work in meeting the reductions in the budget. Mr. Sullivan seconded the motion and it was carried.

Mr. G. J. Jacoby, Director of Athletics, was invited into the meeting to discuss with the Board an invitation which the University's basketball team had received to play in the National Invitational Tournament in Madison Square Garden in the event Wyoming failed to win the Conference championship. Mr. Jacoby explained that the same invitation had been extended to Brigham Young University in the event Wyoming won the championship and went to the National Collegiate Athletic Association play-offs. In view of the Board's ruling some years ago that Wyoming would not accept any invitation to play in Madison Square Garden, Mr. Jacoby asked the Board's direction in answering the invitation from the National Invitational Tournament. After some discussion, President Humphrey recommended that, since the N. I. T. to be played in Madison Square Garden is now under the auspices of the Metropolitan Basketball Coaches Association, the Board of Trustees rescind its former action in respect to University of Wyoming basketball teams playing in the Garden. Mr. Sullivan moved

INVITATION TO
BASKETBALL TEAM
TO PLAY IN
NATIONAL
INVITATIONAL
TOURNAMENT

that the Board approve President Humphrey's recommendation and that the Athletic Director be directed to work out the problem of transportation. Mr. Brough seconded the motion and it was carried.

For the information of the Trustees, President Humphrey reported on the following bills affecting the University which were passed by the 32nd Legislature:

1. Compact for Western Regional Cooperation in Higher Education. Authorizes Wyoming to enter the Compact and appropriates \$10,000 to carry it into effect.
2. State Geologist. Fixes state's contribution to salary of State Geologist at \$1,800 per year.
3. Building Improvement Fund. Law amended to permit University to receive nine per cent of all income from mineral royalties, the first \$360,000 to be used for repairing old buildings, constructing new buildings, and equipping new buildings, and all income over \$360,000 to be used for new buildings only.
4. Wyoming State Retirement System. Several bills passed putting into effect new retirement system including Federal Social Security and a supplementary plan for all state employees.
5. Television. A joint memorial to the Federal Communications Commission requested that Channel 8 be held for the University of Wyoming for two more years.
6. Change in Legislative Year. Legislative year changed from April 1 to July 1, simplifying budget preparation.

President Humphrey reported to the Trustees that the Associated Students of the University of Wyoming had requested permission to send students on a tour of the state during the spring holidays in an effort

LEGISLATION
AFFECTING
UNIVERSITY

Compact for Western
Regional Cooperation
in Higher Education

State Geologist

Building Improvement
Fund

Wyoming State
Retirement System

Television

Change in
Legislative Year

STUDENT RECRUITMENT

to recruit new students for the University. He stated that no appropriation by the Board would be necessary, since funds could be provided by the A.S.U.W., the University Relations Committee, the Division of Related Student Services, and the President's Emergency Reserve. The Trustees expressed approval of the proposed tour.

The date for the next meeting of the Board was set for April 10.

Mr. F. R. Hall and Mr. F. J. Trelease, Chairman and Secretary respectively of the University Faculty Retirement Committee, were invited into the meeting for a discussion of the new retirement system provided for by the 32nd Legislature. Mr. Trelease read to the Board two resolutions which he recommended be adopted by the Board. The first resolution provided for liquidation of the University's present Limited Service Plan, and the second resolution provided for approval by the Board of the combination of Social Security, Wyoming Retirement System, and payments provided in liquidation of limited service. After a thorough discussion of the proposals, during which Mr. Hall explained the method that had been worked out for liquidating the accrued rights of those employees under the Limited Service Plan, Mr. Reed moved, Mr. Hansen seconded, and it was carried that the following resolution liquidating the Limited Service Plan be approved:

WHEREAS, the Legislature of the State of Wyoming has directed the State Treasurer to take all steps necessary to provide coverage of all employees of the State or its political subdivisions who are eligible for such coverage under the Federal Social Security Act, and

WHEREAS, coverage under the Federal Social Security laws cannot be made applicable to services performed by employees covered by other retirement systems, and the University of Wyoming Limited Service Plan as presently constituted would therefore prevent a majority of the employees of the University from obtaining Federal Old Age and Survivors benefits for the protection of themselves and their families at retirement age and survivors benefits for the

DATE OF
NEXT MEETING

RETIREMENT

protection of their families during the youth of their children and the old age of their widows,

NOW THEREFORE, BE IT RESOLVED:

1. That from and after March 30, 1953, no further rights shall accrue to any employee of the University under the Limited Service Plan and Sections 13-10.1 to 13-10.6 of the Regulations of this Board are hereby repealed.

2. All persons who have previously retired under the Limited Service Plan shall continue to receive the benefits to which they are now entitled.

3. To accomplish the liquidation of accrued rights all persons under the Limited Service Plan who have not retired shall receive, when they reach the age at which they would have retired had the Limited Service Plan continued in effect, regardless of whether or not they are then in the service of the University, monthly partial payments recognizing their equity in the plan accrued on or prior to March 30, 1953 and calculated in accordance with whichever of the following three formulae is applicable:

$$\text{Formula for Group 1} = \left[\frac{1}{15} \times \$125 \times \frac{S}{12} \right] + \left[\frac{1}{12} \times \$25 \times \frac{S'}{12} \right]$$

$$\text{Formula for Group 2} = \left[\frac{1}{15} \times \$100 \times \frac{S}{12} \right] + \left[\frac{1}{12} \times \$25 \times \frac{S'}{12} \right]$$

$$\text{Formula for Group 3} = \left[\frac{1}{15} \times \$75 \times \frac{S}{12} \right] + \left[\frac{1}{12} \times \$25 \times \frac{S'}{12} \right]$$

Where S = Months of service, or major fraction thereof, up to and including 180 months.

S' = Months of service, or major fraction thereof, in excess of S, but not more than 144 months.

4. In computing the months of service as used in these formulae all sabbatical leaves, authorized leaves without pay, leaves for military service, and sick leaves shall be counted as service to the University. In cases of interrupted service, the time between termination of service and reemployment shall not be counted.

5. The President is authorized, with such assistance and advice as he deems desirable, to make any determination of fact or interpretation of all Regulations or resolutions of the Board concerning Limited Service retirement rights.

6. This resolution shall take effect and be in force from and after March 30, 1953.

Mr. Reed then moved, Mr. Sullivan seconded, and it was carried that the Board approve the following resolution setting forth the provisions

of the new retirement plans:

WHEREAS, the Legislature of the State of Wyoming has directed the State Treasurer to take all steps necessary to provide coverage of all employees of the State or its political subdivisions who are eligible for such coverage under the Federal Social Security Act, and has abolished the State Employees Retirement Association and created an actuarially sound retirement plan known as the Wyoming Retirement System which will supplement Social Security benefits, and

WHEREAS, coverage under the Federal Social Security laws and the Wyoming Retirement System cannot be made applicable to services performed by employees covered by other retirement systems, and the University of Wyoming Limited Service Plan as presently constituted would therefore prevent a majority of the employees of the University from obtaining Federal Old Age and Survivors benefits for the protection of themselves and their families at retirement age and survivors benefits for the protection of their families during the youth of their children and the old age of their widows, and from obtaining the benefits of the actuarially sound retirement and disability benefits under the Wyoming Retirement System, thus placing these employees at a substantial disadvantage to those presently under the State Employees Retirement System,

NOW THEREFORE, BE IT RESOLVED: that a combination of Social Security, Wyoming Retirement System, and payments provided in liquidation of Limited Service, based upon that part of Limited Service rights that have accrued up to March 30, 1953, is hereby declared to be a more favorable plan than the present Limited Service Plan, within the meaning of the contracts of employment heretofore entered into between the University and its employees.

President Humphrey asked that the brief which Mr. Trelease had prepared for use in discussing liquidation of the University's Limited Service Plan with the Attorney General be included in the minutes for the information of the Trustees. The brief follows:

MEMORANDUM OF AUTHORITIES
SUBMITTED TO THE ATTORNEY GENERAL

RE: LIQUIDATION OF UNIVERSITY OF WYOMING
LIMITED SERVICE PLAN

The Limited Service Plan of the University of Wyoming originated a number of years ago when neither the state nor the University had a retirement system. Originally, as the name indicates, it was a plan for the payment of a small salary for a reduced amount of work to be performed by the aged employees of the University. In time the duties assigned under Limited Service

became nominal and in many cases they were not or could not be performed; and in 1947 a provision was inserted in all University employment contracts which incorporated the prior understanding that the real consideration for Limited Service payments was active service prior to retirement. In 1949, Limited Service was recognized as a true retirement plan in the state Employees Retirement Act which permitted all University employees to choose to remain eligible for Limited Service or to accept state retirement. (1945 Wyo. Comp. Stat. (Supp.) Sec. 18-2301(b)(1)) The Social Security Administration of the Federal Security Agency has administratively recognized the Limited Service Plan as a retirement system which must be liquidated in order to make University of Wyoming employees currently covered by the Plan eligible for coverage under the Social Security Act by state agreement.

The Limited Service Plan, as now in effect, is contained in Sections 13-10.1 to 13-10.6 of the Regulations of the Board of Trustees of the University of Wyoming. The employment contracts between the University and its employees now in force contain the following provision:

"If you were employed by the University on March 31, 1949, and did not join the State Employees' Retirement Association established by Chapter 42 of Wyoming Session Laws 1949, and if you remain in the employ of the University until you reach retirement age, it is agreed that as a part of the consideration for your services under this and succeeding contracts you will be permitted to participate in the revised Limited Service Plan adopted by the Board on January 14-15, 1949, or in any more favorable Limited Service Plan which may be in effect at the time of your retirement."

The only difference between the Limited Service Plan of January 14-15, 1949 and the present Regulations consists of an enumeration of the types of faculty leaves that will be considered as service in the computation of benefits. The Board of Trustees, on February 28, 1953, by resolution repealed the Limited Service Plan, providing for continued full benefits to those who have retired and for partial payments at retirement age, based on length of service to date, to those who have not yet retired.

The sole question which could arise as to the validity of this action is whether the Trustees have the right to unilaterally alter the terms of Limited Service without the consent of each faculty and staff member. It is submitted that the Board has that right.

I.

First it can be seen that by the terms of the contract itself, the University has the right to change the existing Limited Service Plan into a "more favorable" plan. That the combination of Social Security, partial Limited Service payments and Wyoming Retirement under Senate 73 will be a more favorable retirement plan than the present Limited Service Plan is hardly open to argument. There can be no doubt that the combination of benefits in most cases will far

exceed the benefits under the Limited Service Plan. In addition, for the great majority of University of Wyoming faculty and staff members, the new combination gives Social Security benefits to the survivors of the employees' families during the youth of their children and during the old age of their widows, and the Wyoming Retirement System gives disability benefits, none of which are provided for under the existing Limited Service Plan.

Furthermore, under the Limited Service Plan it was necessary for the employee to remain in the service of the University until retirement age in order to be entitled to any benefits. The partial payments under the liquidated plan are made payable regardless of whether or not the employee remains in the service of the University. He may accept a position in another institution and at retirement age draw the partial Limited Service payments. His Social Security benefits and his rights under the Wyoming Retirement System are likewise not dependent upon continued employment, so that under the new plan the employee has complete freedom to change his job without loss of any benefit.

It is true that in some individual cases the benefits that will be received at retirement age under the combination plan will not be greatly in excess of the benefits that would accrue if Limited Service were continued, and in order to obtain the new benefits the employee must make contributions from his wages under both Social Security and the Wyoming Retirement System. It could be argued that as to these employees the proposed combination plan is not more favorable than the existing Limited Service Plan; however, it is submitted that the overall effect of the plan must be considered and that the Board of Trustees has the right to choose for the entire University that plan which is most favorable to the great majority of its employees.

II.

The cases most closely comparable to the present situation are those that involve retirement systems set up by corporations for their employees. The only case which has been found that is directly in point clearly sustains the power of the Board of Trustees to adopt the resolution liquidating the plan. That case, *Wallace v. Northern Ohio Traction & Light Co.*, 57 Ohio App. 203, 13 N.E. 2d 139 (1937) involved a pension plan adopted, as was the Limited Service Plan, by the Board of Directors of the corporation. Pensions were payable, like Limited Service, entirely by the employer, the employee making no contributions, but the employer in that case did establish a fund, while Limited Service is payable out of current funds. This difference is without significance in the decision, however. The court recognized that the employees had a contract with their employer and stated:

"This court has held consistently that pension and bonus plans constitute a continuing inducement to the employee to continue his loyal service to the company. Such continuance

in the employment of the company under this inducement constitutes the consideration moving from the employee."

After twenty years, the employer terminated the retirement system and directed that the fund be used to continue the payment of pensions to persons then actually receiving pensions. Suits were brought by other persons who had not retired, claiming an interest in the pension fund and to enforce the employees' contractual obligations. The court held for the defendant, saying:

"There are presented the following questions: When the pension plan was inaugurated, could it be withdrawn and abrogated? If so, when could this be done?...

"Each employee of the company knew that the inducement to continued service was a pension. Undoubtedly this was effective in inducing many to remain in the employ of the company. At the same time each employee knew that he must put in 20 years of service and reach the age of 65 years before he would be entitled to be considered for a pension. The general abandonment of the plan was another eventuality, which, while it was to be deplored, was still a feature to be considered. The employee had not contributed anything except possibly his sacrifice of other employment. He could at any time cease his employment.

"We are constrained to hold that under the circumstances presented, there being no suggestion of bad faith, the company could at any time before the employee actually qualified under the terms of the offer of pension, withdraw the same."

Another case shedding light on this question is Schofield v. Zion's Co-op Mercantile Institution, 85 Utah 281 39 P. 2nd 342 (1934). In that case, the plaintiffs had already retired under a retirement pension system adopted by the defendant and the defendant attempted to reduce the amount of their pensions. The plan was quite comparable to Limited Service in that no contributions were made by the employee and no fund was established. The court said in part:

"Plaintiffs, after this offer by the defendant, continued in its employment, served it faithfully for 20 years, and attained the age of 65 years. The Board of pensions then 'determined their eligibility to receive pension allowance'-- that is, determined that they had met the requirements of the offer and had earned their pensions; it fixed the amount of pension and made the allowance of the same and retired the plaintiffs from further service. Clearly, such facts, circumstances, and history do not evidence an offer of a gratuity, but an offer to pay certain sums when plaintiffs shall have completely performed a certain set of acts, offered as an inducement to them to perform the acts, and given as a consideration for their complete performance. When the plaintiffs had completely performed their obligations and the board of pensions had determined their right to pension, made allowance thereof, and retired them, the contract was complete and binding, and not subject to modification by the company without consent of plaintiffs."

Throughout the opinion the court strongly indicates, as the underlined words show, that until actual retirement a retirement plan is subject to unilateral modification and even repeal.

Many other cases recognize that contractual retirement plans may be changed prior to the time that the employee has actually retired and fully complied with all of the plan's requirements. For example, see *David v. VMAG*, 348 Pa. 335, 35A. 2nd 346 (1944), headnotes 4 and 7:

"A 'retirement pension' is in the nature of pay withheld to induce continued faithful service and amounts to compensation for services already rendered, and the principle applies to both public and private employers."

"Until an employee has earned his retirement pay, or until time arrives when he may retire, his retirement pay is but an inchoate right, but when the conditions are satisfied, at that time retirement pay becomes a vested right of which the person entitled thereto cannot be deprived."

A somewhat comparable case is *Cowles v. Morris*, 330 Ill. 11, 161 N.E. 150 (1928), where an employer with a funded pension plan sold the business to another company and ceased to do business. Although the court recognized the pension as contractual, it held that the pensioners had no vested right in the continuance of the fund for their benefit and that there was no implied contract that the employer would not discontinue business and stop contributions to the fund without providing a fund sufficient for the payment of all pensions.

III.

There are hundreds of cases involving public pensions or retirement plans established by legislation or ordinances, where the plans are by later legislation discontinued or altered. For the most part, these cases are not in point here, because they involve constitutional, not contract, law, but some analogies may be drawn from them. Two cases will suffice to indicate the modern trend of the decisions. In *Newcomb v. Ogden City Public School Teacher's Retirement Commission* (Utah 1952) 243 P. 2nd 941, the court recognized the right of an already retired teacher in a retirement system as vested, and held that the complete dissolution of the system was unconstitutional. The court however stated that a system may be terminated when a substantial substitute is provided in lieu of the loss of benefits under the old system. As indicated in paragraph I of this memorandum, a very substantial substitute is provided for the liquidated Limited Service Plan. In *Talbott v. Independent School District of Des Moines*, 230 Iowa 949, 299 N.W. 556 (1941), the court held that the fact that some types of retirement payments are not gratuities did not give them the character of a right which cannot be adversely affected by subsequent legislation designed to strengthen the improve the retirement system.

CONCLUSION

From all of the above authorities and arguments, it can be seen that the liquidation of the Limited Service Plan by the resolution of the Board of Trustees is a completely valid action and that all contractual rights of the employees have been fully protected and given effect. Those who have retired will continue to receive their full pensions. Those who have served the University with the expectation of retirement under the Limited Service Plan, with partial consideration for such employment being the possibility of Limited Service retirement, will be given a partial pension based upon the number of years which they served under such contracts. The authorities that have been cited show that the University, in giving full recognition for partial service, has done all that was required of it under the terms of the contract and the Limited Service Plan.

Frank J. Trelease
Professor of Law

After Mr. Hall and Mr. Trelease had left the meeting, President Humphrey asked the Board to consider a proposed retirement policy for University employees, providing for retirement at age 65 with the Board retaining the sole option to continue any employee after age 65. Mr. Hansen moved, Mr. Burwell seconded, and it was carried that the Board approve the policy proposed by President Humphrey:

WHEREAS, the University of Wyoming is in the process of liquidating all its existing retirement plans, and

WHEREAS, the University must make adjustments in liquidating the Limited Service Plan and the State Employees Retirement System and in initiating Social Security and the Wyoming Retirement System, and

WHEREAS, it appears necessary that the Board of Trustees agree upon a general policy in respect to retirement under all of the plans that will be in effect from April 1, 1953;

THEREFORE, BE IT RESOLVED that the following shall be the policy of the Board of Trustees:

(1) That the continued employment of any person who has reached the age of 65 years shall be at the sole option of the Board of Trustees.

(2) That on July 1, 1953, all employees of the University of Wyoming who have, prior to that date, reached the age of 65 years shall be retired unless the Board wishes to exercise its option of retaining an individual after age 65.

(3) That from and after July 1, 1953, any employee of the University of Wyoming who reaches the age of 65 years shall be retired on the succeeding first day of July, unless the Board wishes to exercise its option of retaining that person after age 65.

(4) That any person entitled to receive payments in liquidation of the Limited Service Plan who remains in the employ of the University until the age of 65 shall begin to receive such payments upon actual retirement. Any person entitled to receive such payments who has left the service of the University prior to reaching the age of 65 years shall receive the first such payment for the first full month of July following his 65th birthday.

President Humphrey explained that for a number of years the preparation of the University budget has been complicated because the Legislative year begins on April 1, the fiscal year on July 1, and the academic year on September 1. He stated that the employment date for members of the academic staff is September 1 and for all other employees it is July 1. Since the Legislature changed the Legislative year to begin on July 1, Dr. Humphrey proposed to begin the employment of all University staff members on July 1, with the exception of new academic staff members, whose first year of employment would begin on September 15. Mr. Del Monte moved that President Humphrey's recommendation be approved. Mr. Sullivan seconded the motion and it was carried.

President Humphrey asked the Board's approval of a proposed agreement between the University of Wyoming and the Memorial Hospital of Laramie County covering a program for furthering the training and education of students in the practical field of nursing. Dr. Humphrey explained that the proposed agreement (copy of which is on file in the President's office) is very similar to an agreement which the Board approved some time ago between the University and the Ivinson Memorial Hospital. Mr. Hansen moved that the agreement be approved and that the

CHANGING EMPLOYMENT
DATE FOR MEMBERS
OF NINE-MONTH
STAFF

NURSING AGREEMENT
WITH LARAMIE COUNTY
MEMORIAL HOSPITAL

President and Secretary of the Board of Trustees be authorized to sign it on behalf of the Board of Trustees. Mrs. Patterson seconded the motion and it was carried.

Mr. Newton moved that the Board approve the request of Dr. H. S. Willard, Professor of Animal Production, for a leave without pay for one year, beginning approximately June 1, 1953, to permit him to accept an invitation from the Middle East Division, Office of Foreign Agricultural Relations, U. S. Department of Agriculture, to serve an assignment in Israel. Mr. Sullivan seconded the motion and it was carried.

Department of Veterinary Science and Bacteriology. Mr. Newton moved that Mr. Gordon Robertstad be named Acting Head of the Department of Veterinary Science and Bacteriology, effective March 1, 1953, to replace Dr. J. E. Prier, who resigned. Mr. Del Monte seconded the motion and it was carried.

President Humphrey presented a letter which he had received from Mr. Joseph Langland, Assistant Professor of English, recommending that the University of Wyoming undertake publication of THE INDIANS' BOOK, by Natalie Curtis. Mr. Langland explained that the book is a valuable original source book on the American Indian and that all publishing rights, plates, etc. have been given to the University by Paul Burlin, husband of the author, and that the University would receive ninety per cent of the royalties on the book until the death of Mr. Burlin, after which all royalties would come to the University. Mr. Langland stated that he had received a bid from Twayne Publishers of New York City of \$4.00 per copy for printing 1,000 copies and \$3.35 per copy for 2,000 copies, which was a lower bid than that received from the Wheelwright

LEAVE OF ABSENCE

Willard

ACTING
DEPARTMENT HEAD

Department of
Veterinary Science
and Bacteriology

PUBLICATION OF
"THE INDIANS' BOOK"

Lithographing Company and reported to the Board some time ago. Mr. Langland recommended that the bid of Twayne Publishers on 2,000 copies (a total cost of \$6,700) be accepted. After some discussion, President Humphrey suggested that he be authorized to negotiate with Twayne Publishers and he promised to have a contract to present to the Board for consideration at its next meeting. Mr. Chamberlain moved that Dr. Humphrey be given the requested authorization. Mr. Sullivan seconded the motion and it was carried.

Department of Athletics. President Humphrey presented a letter from Mr. G. J. Jacoby, Director of Athletics, itemizing the unexpected expense necessitated by the employment of a new football coach. Mr. Jacoby requested an appropriation of \$2,235.76 to cover travel (\$1,569.45), telephone and telegrams (\$127.80), and office expense (\$538.51). Mr. Jones moved that the appropriation of \$2,235.76 be authorized. Mr. Burwell seconded the motion and it was carried.

President Humphrey announced that it would be necessary to elect a new Secretary to succeed Mr. Del Monte. President Simpson asked for an opportunity to say a few words to Mr. Del Monte and Mr. Burwell, whose terms on the Board were expiring. On behalf of the Board, he expressed appreciation for the devoted and unselfish service which both men had given to the University and for the contributions they had made to the University and the state through their service on the Board. Mr. Burwell and Mr. Del Monte expressed their appreciation for the opportunity of serving on the Board, for the friendships they had made with other members of the Board, and for the courtesies that had been extended to them. Each assured the Board of his continuing interest in the

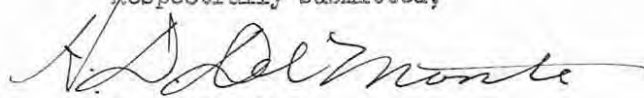
BUDGET CHANGEDepartment of
AthleticsEXPRESSIONS OF
APPRECIATION

University and his willingness to serve in any way possible.

Mr. Hansen moved that, in view of his long service on the Board and because he lives in Laramie, Mr. Sullivan be nominated Secretary of the Board. Mr. Reed moved that nominations cease. The motion was carried and Mr. Sullivan was unanimously elected Secretary of the Board.

The Board adjourned at 5:45 p.m. to meet again on April 10.

Respectfully submitted,



H. D. Del Monte
Secretary

ELECTION OF SECRETARY