

# OMISSION

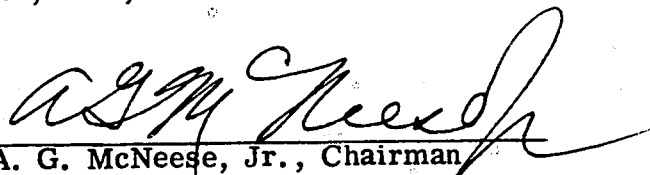
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*A. Ruth Baker*

SIGNATURE OF OPERATOR

We, the undersigned members of the Board of Regents of The University of Texas System, hereby waive the requirement that three days' written notice of this Special Meeting be given by mail and hereby ratify and approve all actions taken at this Emergency Special Meeting (September 25, 1974) to be reflected in the Minutes.

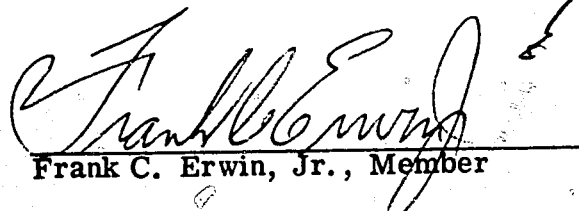
Signed this the 25th day of September, 1974, A. D.

  
A. G. McNeese, Jr., Chairman

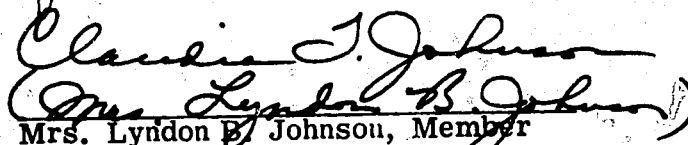
  
Dan C. Williams, Vice-Chairman

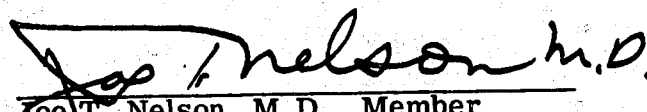
  
James E. Bawerle, D.D.S., Member

  
Edward Clark, Member

  
Frank C. Erwin, Jr., Member

  
Jenkins Garrett, Member

  
Mrs. Lyndon B. Johnson, Member

  
Joe T. Nelson, M.D., Member

  
Allan Shivers, Member

Meeting No. 726  
(Special Meeting)

THE MINUTES OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 5

September 25, 1974

Austin, Texas

9-25-74

## MEETING NO. 726

WEDNESDAY, SEPTEMBER 25, 1974. -- The Board of Regents of The University of Texas System convened in an emergency special meeting at 4:00 p. m. on Wednesday, September 25, 1974, in Room 212 of the Main Building on the campus of The University of Texas at Austin, Austin, Texas.

Chairman McNeese presided, and the following were in attendance:

## ATTENDANCE. --

Present

Chairman McNeese, Presiding  
 Vice-Chairman Williams  
 Regent Bauerie  
 Regent Clark  
 Regent Erwin  
 Regent Garrett  
 Regent (Mrs.) Johnson  
 Regent Nelson  
 Regent Shivers

Absent

Secretary Thedford

Chancellor LeMaistre  
 Deputy Chancellor Walker

The meeting was called to order by Chairman McNeese.

OPENING STATEMENT OF CHAIRMAN McNEESE. -- Chairman McNeese opened the meeting with the following statement:

This special meeting of the Board of Regents of The University of Texas System is called pursuant to Section 6.21 of Chapter I of Part One of the Regents' Rules and Regulations (the requirement of three days' written notice of the meeting by mail having been waived in writing by all members of the Board). Notice of this meeting has been given in accordance with the requirements of Section 3 A (h) of the Open Meetings Law (Article 6252-17, V. A. C. S.).

Section 2 (g) of the Open Meetings Law permits an executive session of the Board of Regents to be held in a case involving the dismissal of a public officer or employee, unless such officer or employee requests a meeting that is open to the public.

Dr. Spurr has been given official notice of this meeting, and although he has not requested that the meeting be open to the public, it is my feeling that it should be, so we shall now turn to a consideration of the subject in open session. First, we shall hear from Chancellor LeMaistre.

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STATEMENT OF CHANCELLOR LeMAISTRE WITH RESPECT TO DISMISSAL OF STEPHEN H. SPURR AS PRESIDENT OF U. T. AUSTIN. --  
Chancellor LeMaistre read the following statement, a copy of which he had signed on even date and submitted to the Board of Regents of The University of Texas System:

Mr. Chairman, Mrs. Johnson and Gentlemen:

Speculation concerning my action of Tuesday, September 24th should not be allowed to reflect unfairly upon a distinguished academician, Dr. Stephen H. Spurr. Dr. Spurr continues to have my admiration and respect for his demonstrated personal courage, my appreciation for his contributions to The University of Texas at Austin as its fourteenth President, and my enthusiasm for the potential of his academic contribution to The University of Texas at Austin in the future. The fact that I have had a warm and friendly personal relationship with Dr. Spurr and his family made my decision all the more difficult.

Speculation regarding the influence of The University of Texas System Board of Regents upon my decision is unwarranted. I alone accept responsibility for the decision which I made to relieve Dr. Spurr of his administrative responsibility.

My action in relieving Dr. Spurr of his administrative responsibility as President of The University of Texas at Austin is based upon Part One, Chapter II, Section 3.1 of the Regents' Rules and Regulations which states in part:

The Chancellor is the Chief Executive Officer of The University of Texas System. . . . The Chief Administrative Officer of each component institution in the System, acting in a line capacity for the operation of his institution, reports to the Chancellor and is responsible to the Chancellor, and through him, to the Board of Regents.

These same Regents' Rules and Regulations set forth my duties and responsibilities as Chancellor and specify that in the area of development, general policy, and general academic planning I am, by delegation from the Board of Regents, authorized to exercise all of the power and authority possessed by the Board of Regents in the governance of the institutions composing The University of Texas System.

After an agonizing period, I decided that I could not conscientiously fulfill my regentally mandated duties and responsibilities as Chief Executive Officer of The University of Texas System and continue in a position of high administrative responsibility one in whom I had declining confidence. It must be remembered that in our decentralized system of component governance, each president serves as a line officer on his campus, with responsibility for day-to-day operations and full authority to act in the best interests of the institution.

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In the case of Dr. Spurr, this declining confidence in his administrative decisions resulted in my personal review of his entire administration as president and a judgment that regretfully his continued administration of the affairs of The University of Texas at Austin was not in the best interest of that institution.

During my review I became increasingly aware of the importance of the deteriorating relationship between Dr. Spurr and myself in matters which required either a cooperative working relationship or a decision ultimately by the Board of Regents.

In my view, a President has a responsibility to recognize the duties and responsibilities of the Chancellor, as directed by the Board of Regents, and to be supportive of the Chancellor's efforts to fulfill those duties and responsibilities, both as a subordinate to the Chancellor, and as his agent in the conduct of the affairs of the institution.

**RATIFICATION OF CHANCELLOR LeMAISTRE'S ACTION IN (1) REMOVING DR. STEPHEN H. SPURR FROM ADMINISTRATIVE DUTIES AS PRESIDENT OF U. T. AUSTIN AND (2) IN APPOINTING DR. LORENE ROGERS PRESIDENT AD INTERIM. --(1) In response to the Chancellor's inquiry for discussion or questions from any member of the Board, Vice-Chairman Williams was recognized and read the following:**

Article 65.32 of the Texas Education Code and its antecedent statutes have provided since 1881 that the Board of Regents "may remove any officer... or employee connected with the (University) when in its judgment the interest of the (University) requires the removal."

Therefore, BE IT RESOLVED that the Board of Regents of The University of Texas System finds that the interest of the University requires the removal of Dr. Stephen H. Spurr from his administrative duties as President of The University of Texas at Austin, and the Board of Regents does approve, ratify and in all things confirm the action of Chancellor Charles A. LeMaistre in relieving Dr. Spurr of his administrative responsibility as President of The University of Texas at Austin as of 1:47 p. m., on September 24, 1974.

However, neither this action of the Board of Regents nor Chancellor LeMaistre's action of yesterday in any way alters or affects Dr. Spurr's status as a tenured professor in the Department of Botany and the L. B. J. School of Public Affairs, and the Board of Regents joins Chancellor LeMaistre in expressing the hope that Dr. Spurr will elect to pursue his academic activities in those areas at The University of Texas at Austin.

Vice-Chairman Williams moved that the resolution be adopted and Regent Nelson seconded the motion.

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Though no one had requested prior to the meeting to appear before the Board, Chairman McNeese recognized those individuals at the meeting who wanted to be heard. They were: Mr. Frank Fleming, President of the Students' Association; Mr. William Parrish, Vice-President of the Students' Association; Mr. David Holtkamp, a student, and Professor Mildren V. Boyer of the Spanish and Portuguese and Education departments. The student representatives were interested in having more facts related to this action, and Professor Boyer called to the Regents' attention a resolution that had been passed by the Faculty Senate. This resolution, together with other resolutions, were distributed to the Regents at the meeting.

Chairman McNeese called on Regent (Mrs.) Johnson who made the following statement:

There are several things I must say:

I feel that I must abstain. I respect both Dr. LeMaistre and Dr. Spurr and I am agonized that it has reached this situation with such swiftness. I feel we have all ill served the University.

No great educational institution can sustain its greatness with the frequent and sudden firing of its presidents and deans. Such actions have a severe and traumatic effect on the administration, the faculty and the student body.

As I read the resolution it is to ratify. I looked up "ratify" in the dictionary and it means "to approve and sanction." I do not feel that under the circumstances I have enough facts to approve and sanction the Chancellor's action. I could not do so in good conscience. But I am unwilling to do anything to undermine the Chancellor's ability to run this System. Somebody has to be boss and it is hard - I remember. And, therefore, I must abstain.

There being no other questions or comments, the Chair called for a vote on the motion. All voted "Aye" except Regent (Mrs.) Johnson who abstained.

(2) Vice-Chairman Williams then read and moved the adoption of the following resolution:

Section 4.1 of Chapter II of Part One of the Regents' Rules and Regulations provides that "the Chancellor shall appoint the chief administrative officer of each component institution, after receiving the prior approval of the Board of Regents." In emergency situations the Chancellor may act subject to subsequent approval of the Board.

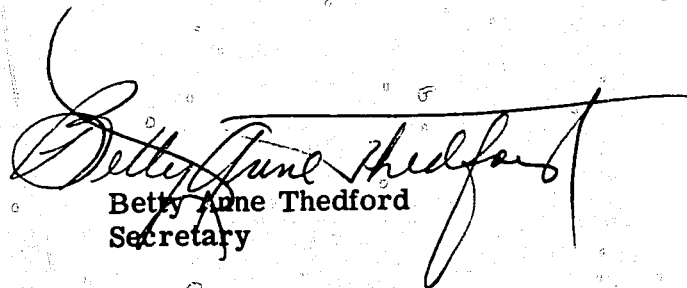
Therefore, BE IT RESOLVED by the Board of Regents of The University of Texas System that the action of Chancellor Charles A. LeMaistre in appointing Dr. Lorene L. Rogers

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as President ad interim of The University of Texas at Austin effective on September 25, 1974, is hereby approved, ratified and in all things confirmed.

This motion was seconded by Regent Nelson and prevailed by unanimous vote.

ADJOURNMENT. --The matter for which the meeting had been called having been disposed of, the meeting was duly adjourned at 4:20 p. m.

  
Betty Anne Theford  
Secretary

October 8, 1974