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RECORDS SERIES TITLE	ERNEST O. LAWRENCE GENERAL FILES 1920-1959	
BANCROFT ID NO.	MSS 73/117C	COPY
DATE NO.	11/18	
FOLDER NAME	L. LAWRENCE, E.O. 1949-1950	
NOTES	UC LOYALTY OATH	
FOUND BY/CATE FOUND	M. HONES	3/95

724468

Both signed and mailed 5/8/50

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
OFFICE OF THE SECRETARY AND TREASURER

ROBERT M. UNDERHILL  
*Secretary and Treasurer*  
GEORGE S. MALLOY  
*Assistant Secretary and  
Assistant Treasurer*  
MARJORIE J. WOOLMAN  
*Assistant Secretary*  
GEORGE F. TAYLOR  
*Assistant Secretary*

240 ADMINISTRATION BUILDING  
BERKELEY 4, CALIFORNIA

April 25, 1950

To Members of the Faculty and Employees:

Enclosed herewith is a copy of a resolution adopted by The Regents of the University of California on April 21, 1950.

Pursuant to instructions therein contained, the Secretary of the Regents encloses a copy of the constitutional oath of office required of officials of the State of California and a new appointment letter. It is not necessary for any person who has signed the special loyalty oath prescribed by the Regents on June 24, 1949, to sign the new state oath or the new form of acceptance letter as affecting the appointment for the year 1949-50; however, each member of the faculty or employee who has signed the special loyalty oath may elect to sign the enclosed oath and the enclosed appointment letter and withdraw the special loyalty oath if he chooses to do so. In such case, the oath is to be signed before a notary public and acknowledged by the notary. The acceptance form accompanying the letter is to be signed and returned to this office with the signed oath on or before May 15, 1950. A written request is to be addressed to the Secretary of the Regents for the return of the special loyalty oath after the state oath and the new acceptance letter have been filed with the Secretary.

Aliens need not sign the oath form; however, a statement over the signature of an alien that he or she is an alien and the name of the country of which he or she is a citizen is to be returned with the acceptance form.

Very truly yours,



Robert M. Underhill  
Secretary of the Regents

RMU:eo  
Encs.

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University of California - Berkeley  
The Bancroft Library  
Dr. Ernest Lawrence

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DOCUMENT SOURCE	University of California at Berkeley The Bancroft Library/The University Archives, Berkeley CA
RECORDS SERIES TITLE	ERNEST D. LAWRENCE GENERAL FILES 19-20-1959
BANCROFT FILE NO.	NSS 721176
CARTON NO.	1118
FOLDER NAME	LAWRENCE, E.O. 1949-1950
NOTES	UC LOYALTY OATH
FOUNDED BY DATE FOUND	M. HANES 3/95

**Resolution adopted by**

**The Regents of the University of California on April 21, 1950:**

The Regents of the University of California confirm and emphasize their policy designed to bar members of the Communist Party from employment by the University as members of the faculty or otherwise, as embodied in various statements and resolutions including those of October 11, 1940 and June 24, 1949, which policy is hereby reaffirmed. The Regents are gratified that the Academic Senate, both Northern and Southern sections, has concurred in this policy by an overwhelming vote, reported on March 22, 1950.

The Regents have given further consideration to the most effective methods for the implementation of this established policy, and it is their view that the objectives previously defined and announced can best be achieved in the following manner:

After July 1, 1950, which will mark the beginning of a new academic year, conditions precedent to employment or renewal of employment of American citizens in the University shall be (1) execution of the constitutional oath of office required of public officials of the State of California and (2) acceptance of appointment by a letter which shall include the following provision:

*Having taken the constitutional oath of office required of public officials of the State of California, I hereby formally acknowledge my acceptance of the position and salary named, and also state that I am not a member of the Communist Party or any other organization which advocates the overthrow of the Government by force or violence, and that I have no commitments in conflict with my responsibilities with respect to impartial scholarship and free pursuit of truth. I understand that the foregoing statement is a condition of my employment and a consideration of payment of my salary.*

Inasmuch as aliens are not lawfully subject to an oath of allegiance to the United States or the State of California, their letters of acceptance shall be drawn without reference to such oath but shall otherwise in all respects be identical with those of American citizens.

In any case of failure to sign the constitutional oath and the prescribed form of letter of acceptance the right of petition and review (referred to below) will be fully observed.

The foregoing is intended to govern employment and re-employment after June 30, 1950. For the balance of the current academic year, to wit, until July 1, 1950, account must be taken both of the large majority of faculty and employees who have subscribed to the loyalty oath of June

24, 1949, and of the minority who have not. The Regents have on various occasions indicated that an alternative affirmation would be accepted from the latter group if in form approved by the Regents. It is hereby provided that execution of the constitutional oath of office required of public officials of the State of California, and acceptance of appointment in the form herein stated, will be acceptable affirmation in lieu of the oath of June 24, 1949.

The Secretary of the Regents shall promptly mail to all faculty members and employees of the University new letters of acceptance of appointment for the academic year 1949-50, containing the text of the provision set forth above, and accompanied by the text of the constitutional oath of office of the State of California. Acceptance in the form prescribed shall be obligatory for all who have not filed with the Secretary the loyalty oath previously required by the Regents. Those who have already taken the latter oath need not follow the described procedure for the current academic year but may do so if they wish. In such case the oaths to which they have subscribed may be withdrawn.

In the event that a member of the faculty fails to comply with any foregoing requirement applicable to him he shall have the right to petition the President of the University for a review of his case by the Committee on Privilege and Tenure of the Academic Senate, including an investigation of and full hearing on the reasons for his failure so to do. Final action shall not be taken by the Board of Regents until the Committee on Privilege and Tenure, after such investigation and hearing, shall have had an opportunity to submit to the Board, through the President of the University, its findings and recommendations. It is recognized that final determination in each case is the prerogative of the Regents.

In order to provide a reasonable time for completion of the foregoing procedures, the Regents hereby fix May 15, 1950 as the date on or before which the constitutional oath and contract form shall be signed, and June 15, 1950 as the date on or before which all proceedings before the President and the Committee on Privilege and Tenure shall be completed and their findings and recommendations submitted to the Regents.

The regulations and procedures herein enacted, as applied and enforced by the administrative authorities of the University, will henceforth govern and control over all previous actions of the Regents to the extent they may be inconsistent with such previous actions to the end that the policy of the Regents and the Academic Senate barring members of the Communist Party from employment in the University may be fairly and effectively implemented.