

MINUTES OF MEETING OF BOARD OF REGENTS
WESTERN KENTUCKY UNIVERSITY
May 31, 1975

A special meeting of the Board of Regents of Western Kentucky University was held on Saturday, May 31, 1975, at 12:30 p.m., Central Daylight Time. The meeting, which coincided with a luncheon, convened in the Executive Room of the Paul L. Garrett Conference Center on the Western campus. Chairman Albert G. Ross, presided. He stated that the meeting had been called as a closed session in accordance with Chapter 377, Acts of the Kentucky General Assembly enacted at the 1974 Regular Session, for the purpose of discussing pending litigation in which the University is a party; specifically, Flonnie Strunk vs. Western Kentucky University et al.

A prayer of invocation was given by Dr. John D. Minton, Vice President for Administrative Affairs.

The following members were present:

Dr. William G. Buckman
Dr. Chalmer P. Embry
Dr. W. R. McCormack
Mr. John L. Ramsey
Mr. Albert G. Ross

Absent were Mr. Ronald W. Clark, Dr. W. Gerald Edds, and Mr. Hugh Poland.

Others present, in addition to Dr. Minton, were Mr. John David Cole and Mr. Stephen L. Henry, both of whom took the oath of office as members of the Board of Regents in an opening meeting held later in the day; Dr. Dero G. Downing, President; Dr. Raymond L. Cravens, Vice President for Academic Affairs and Dean of the Faculties; Mr. Harry K. Largen, Vice President for Business Affairs and Treasurer; Miss Georgia Bates, Secretary to the Board; Dr. Paul B. Cook, Assistant to the President; Mr. William E. Bivin, University Attorney; and Mr. Rhea P. Lazarus, Staff Assistant, Office of the President.

In introducing the matter for discussion, President Downing called upon the University Attorney for an updating of developments in the pending litigation. Mr. Bivin's review of background information, commencing with the employment of Dr. Strunk in 1966 as a member of the Department of Business Education and Office

Administration faculty, covered the decisions which brought about her non-reappointment effective with the opening of the 1971-72 school year and developments subsequent to July, 1972. At that time she made formal charges of discrimination by asserting that non-reappointment has been based on sex and, as such, she alleged it to be in violation of Title VII of the Civil Rights Act of 1964. With a determination by the U. S. Equal Employment Opportunity Commission that probable cause existed to believe that discrimination against Flonnie Strunk did occur and failing in the conciliation process with Western, Attorney Bivin went on to explain that Dr. Strunk obtained the right to sue from the Department of Justice in August, 1974. He further explained that such law suit was filed in the United States District Court for the Eastern Division of Kentucky in Lexington in November, 1974, naming as defendants Western Kentucky University, President Dero G. Downing, and members of the Board of Regents. Mr. Bivin noted that those named constituted an inaccurate listing of membership at the specific time involved.

After reviewing the kinds of relief being sought by the plaintiff, Mr. Bivin pointed out the deficiencies which were felt to exist as a matter of law relative to the manner and timing in which the complaint had been filed.

The next step in the litigation was the filing of a motion for dismissal of the complaint in December, 1974, by counsel for the defendants, which had been broadened to include the Louisville firm of Tarrant, Combs, Blackwell & Bullett. After explaining the circumstances involving the death of Judge Mac Swinford which brought about the long delay, Mr. Bivin stated that in May, 1975, Judge Bernard T. Moynihan, Jr., heard arguments on the motion from counsel for both the defendants and the plaintiff, who was represented by the firms of Baker, Worthington, Crossley & Stansberry of Huntsville, Tennessee, and Stoll, Keenon & Park of Lexington.

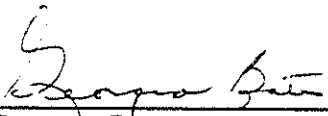
In response to an inquiry from Dr. Buckman, the United States Court of Appeals in Cincinnati was cited as the course of action open to Dr. Strunk in the event of failure at this point.

There being no item of business requiring an action of the Board, no action was taken.

With the discussion having concluded and on motion duly made and seconded, the meeting was adjourned at approximately 1:30 p. m.

CERTIFICATION OF SECRETARY


I hereby certify that the special meeting of the Board of Regents of Western Kentucky University held on May 31, 1975, in the Executive Room of the Paul L. Garrett Conference Room on the Western campus was held in compliance with Chapter 377 of the Acts of the Kentucky General Assembly enacted at the 1974 Regular Session, and I further certify that no votes or actions were taken at said meeting.



Georgia Bates, Secretary



Chairman



Secretary