

MINUTES OF MEETING OF BOARD OF REGENTS
WESTERN KENTUCKY UNIVERSITY
September 20, 1975

A special meeting of the Board of Regents of Western Kentucky University, which had been called at the requests of Dr. W. R. McCormack and Dr. William G. Buckman, was held on Saturday, September 20, 1975, at 10 a.m., CDT, in the Regents Conference Room, Wetherby Administration Building, on the Western campus. Mr. Albert G. Ross, Chairman, presided.

The meeting opened with a prayer of invocation by Miss Georgia Bates, Secretary to the Board.

All members were present; namely,

Dr. William G. Buckman
Mr. Ronald W. Clark
Mr. John David Cole
Dr. W. Gerald Edds
Dr. Chalmer P. Embry
Mr. Stephen L. Henry
Dr. W. R. McCormack
Mr. Hugh Poland
Mr. John L. Ramsey
Mr. Albert G. Ross

Also present, in addition to Miss Bates, were Dr. Dero G. Downing, President; Dr. Raymond L. Cravens, Vice President for Academic Affairs and Dean of the Faculties; Dr. John D. Minton, Vice President for Administrative Affairs; Mr. Harry K. Largen, Vice President for Business Affairs and Treasurer; Mr. William E. Bivin, University Attorney; Mr. Rhea Lazarus, Staff Assistant, Office of the President; and Mr. Dee Gibson, Jr., Director of Public Affairs and Community Relations.

The minutes of the regular meeting held on July 25, 1975, which had been mailed to the Board on August 19, were presented by the Chairman. After discussion and the reading of a section of the minutes, Mr. Clark moved their adoption. The motion was seconded by Dr. Buckman and carried unanimously.

At this point in the meeting, Dr. McCormack called attention to the following matters which, he stated, prompted the call by him and Dr. Buckman:

(1) Evaluation of administrative staff, (2) inflated grades at Western and at other educational institutions, (3) faculty status of Dr. Raul Padilla and Dr. George Dillingham, and (4) reorganization of the Board. In acknowledging that Mr. Ross had

done a "wonderful job" in serving as Chairman of the Board over the past eleven months, he stated that the practice of the Board was to confer this honor and responsibility upon the member with the longest tenure. In view of the approaching expiration of Mr. Ross's term and with Mr. Poland having previously declined the chairmanship, Dr. McCormack moved that Dr. Edds be elected Chairman of the Board and that Dr. Embry be elected Vice Chairman effective following adjournment of this meeting, with Dr. Edds presiding at the next regular meeting of the Board on October 25. The motion was seconded by Dr. Buckman. Following discussion, Mr. Clark nominated Mr. Ross for reelection; however, Mr. Ross declined the nomination. After further discussion, the question was put; and the roll call vote was as follows:

Aye: Buckman, Henry, McCormack; Poland, Ross

Nay: Clark, Cole, Ramsey

Abstaining: Edds, Embry

Dr. McCormack then moved that Dr. Buckman be elected to the Executive Committee of the Board. The name of Mr. Cole was placed in nomination by Mr. Clark. After discussion, the roll call vote for Dr. Buckman was as follows:

Aye: Edds, Embry, Henry, McCormack, Poland, Ross

Nay: None

Abstaining: Buckman, Cole, Ramsey

Passing: Clark

On motion of Mr. Cole, Dr. Buckman was elected to the Executive Committee by acclamation.

In introducing the matter involving the faculty status of Dr. Raul Padilla and Dr. George Dillingham, Dr. Buckman asked for an explanation of President Downing's memorandum to the Board on August 1 which set forth certain points that needed clarification. Mr. Cole, who, together with Attorney Bivin, had counseled with the President regarding the matter, responded to Dr. Buckman's request. Mr. Cole addressed himself to the questions raised in the President's communication, which follows:

August 1, 1975

MEMORANDUM TO: Members of the Board of Regents

Following each meeting of the Board of Regents, every effort is made to carry out the actions taken by the Board on a timely basis. This is in the form of initiating programs that have been approved, implementing policies which have been adopted, or effecting personnel changes that have been approved.

In accordance with this procedure, I am now in the process of initiating the actions taken by the Board in the meeting on Saturday, July 26. Because of the complex nature of the personnel action taken in the cases of Dr. George Dillingham and Dr. Raul Padilla and recognizing the interest that has been shown by members of the Board and others, I have felt it is most important that the official communications to each of these individuals convey the correct and accurate conditions of their status.

As I have attempted to prepare the appropriate official notification to Dr. Dillingham and Dr. Padilla, there have arisen certain points which are not sufficiently clear, nor is there a precedent that would provide direction. In fairness to each of the individuals concerned, as well as to the Board of Regents individually and collectively, I have sought the counsel and advice of Mr. William E. Bivin, University Attorney, and of Mr. John David Cole, as an attorney and a member of the Board.

They concur in the observation that statutory requirements regarding employment of faculty members are expressed in such language that genuine legal questions exist as to the required vote necessary to give or deny tenure status to a faculty member. The basic question is whether or not Board action to give tenure to a faculty member, who by action at a previous meeting has received a terminal appointment, constitutes either a contract that requires an appropriation or disbursement of money or an employment of a teacher within the meaning of KRS 164.340. If the answer to that question is "yes," then subsidiary questions are:

- (a) Whether a majority vote of a quorum is sufficient, or whether a majority of the total membership of the Board is required?
and
- (b) If a majority of the membership of the Board is required, what is the legal effect of an unexplained abstention by a member who, at previous meetings, had voted to give the faculty member a terminal appointment?

Recognizing the importance of this matter as it potentially affects both tenured and nontenured faculty members throughout the University, I feel each of you will share in my feeling that we have a responsibility to seek clarification of the statutory requirements regarding employment of faculty members.

It is on this basis and with the desire to ensure the protection of everyone concerned that I have consulted with Chairman Ross requesting directions as to the most desirable means to clarify the questions which have arisen. We concluded from our discussion that there are at least two avenues that seem to have merit as reasonable courses of action through which the authoritative and objective clarification of the statutory language can be obtained.

Chairman Ross has indicated he will instruct me on a course of action after he ascertains the wishes of the Board of Regents and requested that I send to each of you the enclosed sheet prepared for your convenience in advising Mr. Ross of your preference.

I want to assure you of my continued desire and unqualified commitment to carry out the duties and responsibilities of the position of President to the very best of my ability. I sincerely hope my efforts will be deserving of your support.

Dero G. Downing
President

(Secretary's note: The enclosed sheet to which President Downing made reference was addressed to the Chairman of the Board and was for the use of the Board members in indicating their desire to seek such clarification through (1) a special meeting to be called by the Chairman for the purpose of clarifying the questions raised by Mr. Bivin and Mr. Cole, or (2) a request from the Chairman for Mr. Bivin and Mr. Cole to seek legal clarification in the form of a written opinion from the Office of the Attorney General.)

Mr. Cole's comprehensive explanation of the legal issues involved was accompanied by another question as to whether or not the Board of Regents has the authority to grant tenure without a recommendation from the President. He concluded his remarks by moving that the Board go into closed session for further discussion of the matter. The motion was seconded by Mr. Clark; and upon a call of the roll, the vote was as follows:

Aye: Clark, Cole, Embry, Henry, Poland, Ramsey, Ross

Nay: Buckman, Edds, McCormack

The Board responded to requests from Dr. Padilla and Dr. Dillingham by inviting them, Mrs. Padilla, and Mrs. Dillingham to be present for the closed session. Also present were Attorney Bivin, Vice President Cravens, and Drs. Robert Mounce and J. T. Sandefur, Deans of the Potter College of Arts and Humanities and the College of Education, respectively. In preliminary remarks and in acknowledging the presence of Dr. and Mrs. Padilla and Dr. and Mrs. Dillingham, President Downing reiterated for the record that (1) all actions taken by the administration in the cases at hand were in keeping with the policies and procedures as established by the Board of Regents, and that (2) personnel recommendations that were considered and approved by the Board on April 25, 1975, included Dr. George Dillingham, "one-year appointment not to be continued beyond the 1975-76 school year," and Dr. Raul Padilla, "one-year appointment not to be continued beyond the 1975-76 school year." He then recommended to the Board a comprehensive plan which hopefully would provide a "fair and reasonable" solution to the matter.

Full discussion followed relative to all aspects of the employment of Dr. Padilla and Dr. Dillingham at Western and to the actions which had been taken by the administration and by the Board of Regents. Both individuals spoke in their own

behalf. Dr. Dillingham summarized his qualifications and teaching experience, which included seven years at Western, and stated he felt competent to teach in a number of areas. Both he and Dr. Padilla, who with four years at Western had not fulfilled the maximum probationary period for tenure, took exception to the evaluations by their respective department heads and explained their reasoning therefor. Upon further discussion relative to the questionable legality of the action taken by the Board on July 26 in granting tenure to Dr. Dillingham and Dr. Padilla, the Board gave evidence that it would seek clarification of the Attorney General's Office.

Upon returning to the opening meeting, Dr. McCormack moved that the Board get clarification of the statutes as to whether or not the Board took proper action at its meeting on July 26, 1975, relative to Dr. Padilla and Dr. Dillingham and that the President of Western be authorized to seek a written opinion of the Attorney General's Office. The motion was seconded by Mr. Cole. Dr. Buckman then moved that the motion be amended and that the salaries of both Dr. Padilla and Dr. Dillingham be adjusted upward to provide each with a salary increment of 7 percent for the current school year. The motion, as amended, was seconded by Mr. Henry. After discussion, the Chairman called for reactions in two votes. The first vote was on the motion before the amendment with approval being unanimous. The second action was a roll call vote on the motion as amended and was recorded as follows:

Aye: Buckman, Edds, Embry, Henry, McCormack, Poland, Ross

Nay: None

Abstaining: Clark, Cole, Ramsey

Following preliminary comments, Dr. McCormack moved that in addition to the administrative evaluation from the departmental headship level through the presidency of Western, as previously authorized by the Board to be made under the supervision of the Executive Committee, that the responses of those persons participating in the upcoming evaluation of the faculty also be made available to the Executive Committee. In the discussion which followed, Mr. Cole moved that the motion be amended to provide that the Executive Committee undertake to determine the means, methods, and procedures to be utilized in making the evaluation and after such guidelines are determined that the Executive Committee report back to the Board at its October 25 meeting and submit recommendations to the Board for its consideration and concurrence.

Succinctly summarizing other discussion,

(1) Mr. Clark voiced strong objection to the Board's involvement in evaluations; (2) Dr. Edds stated that to him the purpose of the evaluation was to determine salary increments; and while its use by the Board was not designed as the basis for terminating employment of anyone, it would "give us ideas;" and (3) President Downing spoke at length on the evaluation as a confidential appraisal of performance employing objective measures for the primary purpose of bringing about improvement in individual performance. Because of the interest of Dr. Edds, distribution was made of an evaluation instrument that was designed by the College of Education and is being used on an experimental basis by that college during the current school year. Its features were briefly explained by Dean Sandefur; and in responding to discussion relative to its potential use campus-wide, he cautioned that the format was developed by members of the College of Education faculty and served no purpose other than "as a model of what one college is doing." There was further discussion regarding the evaluation in general, but no official action was taken.

In expressing concern over the inflated grades at Western, as well as at other educational institutions, Dr. McCormack cited statistics and other information coming to him which substantiated his opinion that grade inflation constituted a major problem. Mr. Henry stated that representatives of Student Government shared such feeling. In response to Dr. McCormack's appeal that the administration of Western undertake to correct the problem, President Downing spoke of the university-wide effort, including the 10-year Institutional Self-Study, relative to grade distribution and of more recent studies and reviews in an effort to arrive at a philosophy that would standardize grading practices across the campus. In acknowledging concern, he stated that the University would continue to engage in such studies and reviews that hopefully would result in the recording of grades on a transcript that would be a fair measure of a student's level of achievement.

Personnel changes subsequent to the meeting of the Board on July 26, 1975, were presented by the Chairman. Upon the President's recommendation, a motion for approval of the changes was made by Mr. Clark and seconded by Mr. Ramsey. The list follows:

NEW FACULTY

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
<u>College of Applied Arts and Health</u>		
Health and Safety:		
Mrs. Jimmie O. Price	\$13,200	8/16/75; one-year appointment; Assistant Professor; re-places Dr. Joy M. Kirchner who is on leave of absence; \$13,800 with doctorate degree
Mr. Charles J. Wright	15,600	8/16/75; Coordinator of Fire Technology; Assistant Professor; (to initiate program in Fire Science); 12-months basis; \$16,000 with masters degree
Nursing:		
Mrs. Barbara A. Strande	12,240	8/12/75; one-year appointment; Assistant Professor; re-places Mrs. Kay Carr who is on leave of absence
<u>Bowling Green College of Business and Public Affairs</u>		
Mid-Management and Distributive Education:		
Mr. Terry Grissom	14,000	8/28/75; Coordinator of Real Estate Program; 12-months basis; Instructor; (position supported by grant from Kentucky Real Estate Commission)
Economics:		
Mr. Donald A. Coffin	12,400	8/16/75; Instructor; Assistant Professor upon completion of doctoral degree, with salary of \$13,000; replaces Mr. Ronald Kramer
Sociology and Anthropology:		
Miss Janet Henry	10,500	8/16/75; Instructor; replaces Dr. Edward DiBella
Dr. John F. Miller	12,200	8/16/75; Assistant Professor; replaces Mr. Wayne Powell
<u>College of Education</u>		
Dr. R. Douglas Smith	17,700	10/15/76; Coordinator of Fort Knox Programs and Assistant Professor; 12-months basis
Center for Career and Vocational Teacher Education:		
Mr. John F. Hanel	\$800 per month	9/1/75-12/31/76; Staff Assistant; on a grant
Mrs. Betty Robertson	\$775 per month	9/1/75-6/30/76; Staff Assistant; on a grant

NEW FACULTY
(continued)

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
<u>College of Education (continued)</u>		
Jones-Jaggers Laboratory School: Mrs. Elizabeth Wilk	\$ 4,515	8/16/75; fall semester only; Instructor; replaces Miss Kay Cunningham
<u>Ogden College of Science and Technology</u>		
Engineering Technology: Mr. William Larkin Ritter	7,500	8/16/75; one-year appointment; replaces Drs. Donald Rowe and John Russell who are on a grant
Physics and Astronomy: Dr. Robert Elwyn Bellis	13,500	1975-76 school year; visiting Assistant Professor; re- places Dr. Edward Dorman who is on sabbatical leave; one-year appointment
Dr. Thomas J. Bohuski	14,000	8/16/75; Assistant Visiting Professor; one-year appoint- ment
<u>Potter College of Arts and Humanities</u>		
History: Dr. David D. Lee	11,800	8/16/75; one-year appointment; Assistant Professor; replaces Mr. John Bratcher who is on leave of absence
Mass Communications: Mr. Paul G. Ashdown	13,400	8/16/75; Instructor; Assistant Professor upon receipt of doctoral degree, with salary of \$14,000; replaces Mr. Charles William Platt
Mr. Michael L. Morse	11,200	8/16/75; Instructor; 10-months basis; photography and jour- nalism
<u>Academic Affairs</u>		
Library Services: Mrs. Vicki T. Gentry	\$434 per month	9/8/75; librarian assistant; 9-month position; replaces Miss Evelyn Thurman who is on leave of absence

EAGLE PREP PERSONNEL
(under Eagle University program, Fort Campbell)

Mr. Jan Ireland	\$1,206 per month	9/1/75-6/15/76; Coordinator- Counselor
Mrs. Sybol Sherril	578 per month	9/1/75-6/15/76; Administrative Secretary
Mrs. Carol Pearse	1,152 per month	9/1/75-6/15/76; Coordinator of Instruction and Reading Teacher
Mrs. Peggy Cunningham	998 per month	9/1/75-6/15/76; Reading Teacher

EAGLE PREP PERSONNEL
(under Eagle University program, Fort Campbell)
(continued)

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
Mr. Mike Batson	\$ 950 per month	9/1/75-6/15/76; English Teacher
Mrs. Mary Fleming	478 per month	9/1/75-6/15/76; Clerk-Typist
Mrs. Marianna Daskal	939 per month	9/1/75-6/15/76; Laboratory Supervisor and Reading Teacher
Mrs. Olivia McCarthy	467 per month	9/1/75-6/15/76; Laboratory Supervisor; half-time basis
Mrs. Marcia Shepherd	475 per month	9/1/75-6/15/76; English Teacher; half-time basis
Miss Sheila Clark	467 per month	9/1/75-6/15/76; English Teacher; half-time basis
Miss Faye Muffett	939 per month	9/1/75-6/15/76; Math Teacher
Mrs. Lillie Coleman	929 per month	9/1/75-6/15/76; Math Teacher

FACULTY AND/OR STAFF REAPPOINTMENT

College of Applied Arts and Health

Nursing:

Mrs. Julie Dobson	\$12,516	1975-76 school year; Assistant Professor
-------------------	----------	--

Potter College of Arts and Humanities

English and Mass Communications:

Dr. Ahmes Malik	7,750	8/16/75; 1975-76 school year; part-time
-----------------	-------	---

College of Education

Center for Career and Vocational
Teacher Education:

Mr. Roger D. Vincent	850 per month	9/1/75-8/31/76; Staff Assistant
----------------------	---------------	---------------------------------

FACULTY REASSIGNMENT

College of Applied Arts and Health

Nursing:

Mrs. Nancy Rascoe	10,512	8/16/75; reassign from a two-thirds basis to a full-time position for 1975-76; Associate Instructor
-------------------	--------	---

PART-TIME FACULTY

Potter College of Arts and Humanities

Speech and Theatre:

Mrs. Janis B. Van Eman	2,000	9/16/75; part-time for the fall semester of the 1975-76 school year
------------------------	-------	---

NEW STAFF

Business Affairs

Purchasing:

Mrs. Tony M. Hall	5,208	8/25/75; copy center operator in print shop; replace Mr. Steven Nunn
-------------------	-------	--

NEW STAFF
(continued)

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
-------------	---------------	-----------------------------------

Academic Affairs

Office of Veterans Affairs:

Mr. Delmar Sisk	\$300 per month	9/1-12/18/75; field representative; part-time
-----------------	-----------------	---

RESIDENCE HALL DIRECTORS

Miss Deborah Jean Cox	\$ 2,907	8/16/75; Assistant Director of W. R. McCormack Hall; 9-months basis
Miss Debra Lanham	2,907	8/16/75; Assistant Director of Rodes-Harlin Hall; 9-months basis
Mr. Gregory Lee McKinney	2,907	8/16/75; Assistant Director of Pearce-Ford Tower; 9-months basis
Mr. Don Gordon Twyman	2,907	8/16/75; Assistant Director of Barnes-Campbell Hall; 9-months basis

NEW SECRETARIAL AND CLERICAL STAFF

College of Applied Arts and Health

Dental Hygiene:

Mrs. Janet W. Denton	5,280	8/15/75; departmental secretary; replace Mrs. Deborah Lashlee
----------------------	-------	---

Nursing:

Mrs. Annette C. Bentley	5,280	8/20/75; replace Miss Delores Hazel; administrative secretary
-------------------------	-------	---

Bowling Green College of Business and Public Affairs

Accounting:

Mrs. Linda L. Vaughn	5,280	9/1/75; departmental secretary; replace Mrs. Stella Calhoun; two-month period with continuation contingent upon conditions relating to staffing of department at that time
----------------------	-------	--

Potter College of Arts and Humanities

Art:

Mrs. Patricia F. DeVuono	5,280	8/25/75; departmental secretary; replace Miss Jeannie Gale Jasper
--------------------------	-------	---

Mass Communications:

Miss Rose M. Spath	5,280	8/21/75; departmental secretary; replace Mrs. Ann Handy
--------------------	-------	---

Academic Services

Library Services:

Mrs. Anne P. Graham	5,208	9/15/75; clerical assistant; replace Mr. Sammy Reeves
---------------------	-------	---

NEW SECRETARIAL AND CLERICAL STAFF
(continued)

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
<u>Academic Services</u>		
Library Services: (continued)		
Mrs. Sara Ann Scott	\$ 5,208	8/18/75; clerical assistant; replace Mrs. Rosa Isbell
<u>Academic Affairs</u>		
University Publications:		
Mrs. JoAnn Basham Thompson	4,800	8/11/75; secretary; replace Mrs. Eva Whittle
<u>Administrative Affairs</u>		
Mrs. Carol A. McCullough	6,600	8/28/75; executive secretary in Office of the Vice President for Administrative Affairs; replace Mrs. Joan McCauley
Alumni Affairs and Placement Services:		
Mrs. Patricia A. Markle	5,280	8/25/75; secretary/receptionist; replace Mrs. Judy Newton
Student Affairs:		
Mrs. Brenda B. Baumesiter	4,800	8/11/75; administrative secretary; replace Mrs. Carol McClure
Mrs. Shirley B. Vessels	5,280	8/13/75; administrative secretary; replace Mrs. Deborah Lanphear
<u>Business Affairs</u>		
Purchasing:		
Mrs. Christine A. Vincent	5,280	8/11/75; General Clerk II; replace Miss Pamela Kay Freas
Student Financial Aid:		
Mrs. Larissa Young	5,208	8/18/75; General Clerk II; replace Mrs. Patricia Bercowetz

STAFF REAPPOINTMENT

Administrative Affairs

University-School Relations:

Mrs. Mary Lou Larrick Walz \$300 per month 9/2/75-5/8/76; field representative; part-time

STAFF REASSIGNMENTS AND/OR PROMOTIONS

Public Safety

Mr. Paul Bunch	1,200 adjustment in annual salary eff. 8/16/75	8/16/75; assignment of additional responsibilities as Ass't Director of Dept. of Public Safety, resulting from staff reduction in that department
----------------	--	---

Graduate College

Mrs. Joan McCauley	9,672	8/16/75; reassign from Office of Vice President for Administrative Affairs to position of Staff Assistant I in Graduate College; temporary promotion for 1975-76; replace Mr. Bill Weaver, who is on leave of absence
--------------------	-------	---

STAFF REASSIGNMENTS AND/OR PROMOTIONS
(continued)

<u>Name</u>	<u>Salary</u>	<u>Effective Date and Remarks</u>
<u>Administrative Affairs</u>		
Health Services:		
Mrs. Joyce Dunn	\$ 6,300	8/16/75; promote to position of office supervisor
Student Affairs:		
Miss Patricia Williams	3,267	8/16/75; reassign from position of Assistant Director of Rodes-Harlin Hall to position of Assistant Director of Bemis Lawrence Hall; 9-months basis
Mr. Jerry H. Gentry	6,500	8/ 1/75; reassign from Assistant Director to Director of Barnes-Campbell Hall; change from 9-months basis to 10-months basis

SECRETARIAL AND CLERICAL REASSIGNMENT

College of Education

Teacher Corps:		
Mrs. Catherine Wiseman	5,280	8/18/75; reassign from part-time assignment in Head Start program to full-time position as administrative secretary in Teacher Corps

Ogden College of Science and Technology

Engineering Technology:		
Mrs. Barbara M. Merritt	no change	8/1/75; change position as administrative secretary from 12-months basis to an 11-months basis

Academic Services

Library Services:		
Mrs. Faith N. Steward	no change	8/19/75; reassign from Office of Admissions to position of clerical assistant in Kentucky Library

SABBATICAL LEAVE

Potter College of Arts and Humanities

Music:		
Dr. Howard Carpenter		1976 spring semester

RETIREMENT

Administrative Affairs

Office of the Director of Athletics:		
Mrs. Lillian Thompson		8/31/75

FACULTY RESIGNATIONS

<u>Name</u>	<u>Effective Date and Remarks</u>
<u>College of Applied Arts and Health</u>	
Nursing:	
Mrs. Jane Dunn	8/15/75; grant preferential status
<u>Bowling Green College of Business and Public Affairs</u>	
Dr. Glen E. Lange	9/1/75; accepted position with Office for Local Government in Frankfort
<u>Potter College of Arts and Humanities</u>	
Music:	
Dr. Barbara Hill	8/15/75; accepted position with University of North Carolina

STAFF RESIGNATIONS

<u>College of Applied Arts and Health</u>	
Dental Hygiene:	
Mrs. Deborah K. Lashlee	8/15/75; departmental secretary
Nursing:	
Miss Delores Hazel	8/15/75; administrative secretary
<u>College of Education</u>	
Miss Dinah Eder	9/4/75; coordinator-bookkeeper in WKU-UT Leadership Development Program
<u>Potter College of Arts and Humanities</u>	
Art:	
Miss Jennie Gale Jasper	8/29/75; departmental secretary
<u>Academic Services</u>	
Library Services:	
Mr. Sammy Reeves	8/11/75; clerical assistant
Kentucky Library and Museum:	
Mrs. Sharon E. Hales	8/29/75; clerical assistant
<u>Academic Affairs</u>	
Scholastic Development:	
Mrs. Sharon W. Hartowicz	9/7/75; administrative secretary
University Publications:	
Mrs. Eva L. Whittle	10/2/75; General Clerk II
<u>Administrative Affairs</u>	
Student Affairs:	
Mrs. Deborah Lanphear	8/27/75; administrative secretary
Miss Susan Stuebing	7/31/75; Assistant Director, Bemis Lawrence Hall
Miss Regina Turner	7/31/75; Assistant Director, W. R. McCormack Hall

STAFF RESIGNATIONS
(continued)

<u>Name</u>	<u>Effective Date and Remarks</u>
<u>Business Affairs</u>	
Purchasing:	
Miss Pamela Kay Freas	8/8/75; General Clerk II
Student Financial Aid:	
Mrs. Patricia Bercowetz	8/11/75; clerk-typist

In the discussion which followed, Dr. McCormack suggested that recommended salaries be reflected on personnel listings submitted to the Board in advance of the meetings. There being no further discussion, the vote was as follows:

Aye: Clark, Cole, Edds, Embry, Henry, Poland, Ramsey, Ross

Abstaining: Buckman, McCormack

The final report from the special committee on faculty tenure was presented by the President and recommended for consideration. In its presentation, copies of which had previously been mailed to the members of the Board, along with copies of the current policy statement for comparative purposes, Dr. Downing reviewed the work of the 14-member committee from the time of appointment on November 22, 1974, to July 8, 1975, when the final report was submitted, including the opportunities that had been provided for university-wide participation by the faculty in the revision of the statement. The complete report with specific recommendations follows:

RECOMMENDATIONS BY SPECIAL COMMITTEE
ON FACULTY TENURE

I. Introduction

1. Tenure is a means to achieve such goals as:
 - a. Freedom of teaching and research (for the University's statement on academic freedom, see the current edition of the Faculty & Staff Handbook)
 - b. A sufficient degree of economic security to make the profession attractive to men and women of ability
 - c. Institutional continuity and stability through a substantial contingent of faculty with long-range commitment to Western Kentucky University
2. The development and retention of an increasingly competent faculty is an objective of Western Kentucky University to which tenure makes a significant contribution. While length of service determines one's eligibility to be recommended for tenure, tenure will be granted only to those faculty members with the rank of Assistant Professor or above at Western who have attained the educational qualifications specified for the positions they hold and who demonstrate outstanding performance in ably carrying out their professional responsibilities during the probationary period.

II. Faculty Tenure Appointment Policy

1. Decisions concerning tenure will be based on performance in the following categories: instructional activities, other scholarly activities, and service to and for the University. It is understood that the faculty member should cooperate in working with colleagues in carrying out the University's educational mission. The following general statements will serve as guidelines for evaluating the faculty member's performance in assigned responsibilities.

The evaluation of instructional performance considers factors including knowledge of subject matter, teaching effectiveness, student advisement, and curriculum development.

The evaluation of other scholarly activities considers factors including the individual's activities and achievements in areas such as research, publications, program participation at professional meetings, creative activity, and work toward a terminal degree (if the degree is a requirement for the position).

The evaluation of service to and for the University considers factors including committee work, student-related activities, and public and community service. Public and community service should be related to the special competencies of the individual and be an extension of the faculty member's role as scholar-teacher.

2. Full-time faculty members appointed to tenurable positions at the rank of Assistant Professor, Associate Professor, or Professor are employed with the understanding that there will be a probationary period. Faculty members appointed at the rank of Instructor are employed on an annual contract and are not eligible for tenure at that rank.

The probationary requirement may be satisfied through full-time faculty service as follows:

- a. Six years as an Assistant Professor or above at Western Kentucky University
- b. Five years at the rank of Assistant Professor or above at Western plus two or more years at the rank of Instructor at Western or two or more years at the rank of Assistant Professor or above at another university or college

The faculty member will be notified of the decision regarding tenure by May 15 of the final probationary year. There will be no extension of the probationary period. However, the University may offer annual appointments without tenure thereafter upon its determination that such action is in the best interest of the institution.

3. At the discretion of the University, newly established positions or positions becoming vacant through retirement or resignation may be designated as contingency positions not leading to tenure. Years of service in such positions may be considered toward tenure only when the faculty member is transferred to a tenurable faculty position.
4. A recommendation concerning tenure is made by the department head (or heads in case of joint appointments). The department head's recommendation will be forwarded to the college dean after the department head has given each tenured faculty member of the department an opportunity to submit written advisory opinions to accompany the tenure recommendation. The academic dean will submit a recommendation to the Vice-President for Academic Affairs. The Vice-President for Academic Affairs has the responsibility for making a recommendation to the President, who is responsible for submitting a recommendation to the Board of Regents for final consideration.
5. An appointment during the probationary period is for one year. A faculty member being appointed by Western Kentucky University is not assured of employment after the initial term of appointment. The faculty member will be notified by March 1 if the faculty member is not to be reappointed for the second year. The faculty member will be notified by December 15 of the second annual appointment if the faculty member is not to be reappointed for a third year. Thereafter, the faculty member

will be notified by November 1 if the faculty member is not to be reappointed for the following year.

6. Employment after age 65 will be on an annual contract with tenure no longer being in effect.
7. Any tenured appointment made other than as provided above shall require written justification showing that such action will serve the best interest of an academic program or programs and shall be based upon the established recommendation procedure.

III. Advisory Committee on Faculty Continuance

The President is authorized to establish and appoint, within the University, an Advisory Committee on Faculty Continuance. Its function and duties shall be those outlined in the Procedure for Review of Non-Reappointment and the Procedure for Dismissal (see sections IV and V).

The Committee shall be a standing committee and shall consist of five (5) tenured faculty members assigned to full time teaching, research, or academic service duties other than the Faculty Regent, and two (2) members of the Administrative Staff other than the Academic Vice-President, a College Dean, Associate Dean, Assistant Dean, Department Head, or Academic Director.

A faculty member of the Committee shall not participate in a case involving a faculty member from the same Department. Accordingly, the President may designate from the list of eligible nominees a sufficient number of alternates to assure full committee membership consideration of cases. The Committee shall designate as chairman one of the tenured teaching and research faculty appointees.

Faculty members shall be appointed by the President from a list of eligible tenured nominees selected as follows:

- a. Every two years, each Academic Department shall elect one eligible faculty member;
- b. Nominees shall be elected by secret ballot by all members of the faculty unit holding academic rank as defined in the Faculty & Staff Handbook;
- c. The election of nominees shall be conducted under rules and procedures developed by the Rules Committee of the Academic Council; and
- d. Persons elected as nominees eligible for appointment shall remain on the eligible list for a period of two academic years, and may be re-elected.

IV. Procedure for Review of Non-Reappointment

Each appointment of a faculty member during the probationary period continues only for the limited term specified in the appointment document. There is no obligation to appoint for another such term. Each such appointment terminates without further action on the expiration date specified in the appointment document, unless renewed.

If a decision is made not to reappoint a faculty member upon expiration of any appointment during the probationary period, the President shall provide the affected faculty member official written notice of the decision, as follows:

- a. By March 1 of the first appointment;
- b. By December 15 of the second appointment; and
- c. Thereafter, by November 1.

The appointing authorities are not obligated to furnish a written statement or oral statements of reasons for the decision not to reappoint a faculty member for another

term during the probationary period; however, the affected faculty member may request a conference with the Department Head and Dean of the College and Academic Vice-President and President to discuss the decision not to reappoint.

If a faculty member on non-tenured appointment has received official notice of a decision not to reappoint the faculty member and has factual information as grounds upon which it is claimed that the decision not to reappoint was arbitrary or capricious or was based on considerations that violate constitutionally protected rights or interest (e.g., consideration of race, sex, national origin, exercise of free speech, association, etc.), a complaint may be filed with the Head of the Department or office to which the faculty member is assigned.

The complaint shall be in writing and be filed within ten (10) days after receipt of official notice of non-reappointment. It shall be accompanied by a written, signed statement that the faculty member agrees that the authorities who made the decision may present information in support of the decision for the purpose of confidential consideration by members of the Advisory Committee on Faculty Continuance in the event the complaint is referred to it.

The President may cause the complaint to be set for formal evidentiary hearing. As an alternative, the President may refer the complaint to the Advisory Committee on Faculty Continuance for preliminary inquiry, consultation, and its reasoned advice and recommendation. The Committee will seek to settle the matter by informal methods. A genuine effort will be made to resolve the matter by preliminary inquiry, consultation, discussion, and confidential mediation.

If the difficulty is unresolved informally within three weeks from the receipt of the complaint, the Committee shall furnish the President with a written report containing its advice and recommendation as to whether or not the President should cause the matter to be set for formal evidentiary hearing. The report shall include a statement of the Committee's specific reasons in support of its advice and recommendation.

If the matter is set for formal evidentiary hearing, it shall be in the manner provided for dismissals for cause, except that the faculty member making the complaint herein is responsible for stating the specific grounds upon which the allegation is based and the burden of proof shall rest upon the complainant.

V. Procedure For Dismissal

A faculty member who has tenure or an unexpired probationary appointment may be dismissed only for cause. Statutory cause sufficient to support dismissal consists of incompetency, neglect of or refusal to perform duties, or immoral conduct. Under the provisions of Kentucky Revised Statutes 164.360, Board of Regents' proceedings for dismissal of a faculty member can be initiated only upon written charges preferred by the President and shall be decided upon in the manner provided therein.

In any case in which the President of the University has personal knowledge of information sufficient to make an informed judgement that a faculty member should be dismissed for cause, after informal notification of the faculty member involved, charges may be brought without further consultation as provided by Kentucky Revised Statutes 164.360 (3).

Any member of the University Community other than the President who desires to initiate charges in support of a proposed dismissal of a faculty member shall initiate the proposed dismissal with the Head of the Department or office to which the faculty member is assigned. The proposed dismissal shall be in the form of a written signed statement of the facts relied upon to support one or more of the statutory grounds for the proposed dismissal.

After informal notification of the faculty member involved, the Department Head shall evaluate the proposal and submit a written recommendation to the Dean of the College. The Dean of the College shall make an independent evaluation of the proposal and submit a written recommendation to the Vice-President for Academic

Affairs. The Vice-President for Academic Affairs shall make an independent evaluation and submit a written recommendation together with the entire file to the President of the University.

If the President of the University determines that dismissal for cause charges should be brought, charges shall be preferred as provided herein.

If the President of the University determines that additional information is needed in order to make an informed judgement as to whether or not to file charges, the file may be referred to the Advisory Committee on Faculty Continuance for preliminary inquiry, consultation, and its reasoned advice and recommendation.

A genuine effort will be made by the Committee to resolve the entire matter by informal methods of preliminary inquiry, consultation, discussion, and confidential mediation. If the difficulty is unresolved informally within three weeks after receipt of the file, the Committee shall furnish the President with a written report containing its advice and recommendation as to whether or not the President should prefer charges of cause for dismissal. The report shall contain a statement of the Committee's specific reasons in support of its advice and recommendation.

In any case in which the President decides that procedures for dismissal for cause are appropriate, the President shall forward to the Board of Regents a written recommendation of dismissal. The President's letter to the Board of Regents recommending dismissal is to be accompanied by a formal written complaint setting forth specifically the nature of the factual information constituting grounds for dismissal. A copy of the complaint will be sent to the faculty member who is being charged. In transmitting a copy of the complaint to the faculty member being charged, the President shall advise the faculty member of the following rights:

- a. That the attached charges have been preferred against the faculty member to the Board of Regents;
- b. That a written answer to the charges is required to be filed with the Secretary of the Board of Regents;
- c. That the faculty member's answer to the charges may be either an admission or a denial of the charges; and
- d. That the faculty member has a right to be heard by the Board of Regents and to present testimony personally or through counsel.

If the charged faculty member fails or refuses to file the required written answer to the charge with the Secretary of the Board of Regents within ten (10) days after receipt of notice of the charges, or if the faculty member's answer admits the charges, proceedings will terminate and an order of dismissal entered.

If a faculty member being charged files an answer denying the charges, a hearing by the Board will be set and heard at a designated place, time, and date, but not sooner than three weeks after written notice of the charges has been received by the faculty member.

The proceedings at the hearing shall be transcribed and permanent record kept of the charges, notices, and other actions.

The proceedings are not governed by formal, legal rules of procedure and evidence. The Board may consider any information of a kind that has probative value. The following agenda will be maintained:

- a. Entry of appearances of the parties and witnesses;
- b. Statement of charges by counsel for the University;
- c. Entry of the faculty member's denial of the charges;

- d. Presentation of evidence by the President or a designated representative;
- e. An opportunity for the faculty member or counsel to present evidence refuting the charges;
- f. A summation or statement on behalf of the University by the President or a designated representative or counsel; and
- g. A summation or statement by the charges faculty member or counsel;
- h. Decision and vote in executive session by the Board of Regents:
 - 1. Exonerating faculty member, or
 - 2. Approving the President's recommendations to dismiss faculty member.

If the Board of Regents approves the President's recommendation to dismiss the faculty member, the President shall issue a formal letter of dismissal and notify the appropriate officials of the University.

VI. Termination

A tenured appointment of a faculty member results in a commitment to successively reappoint the faculty member, except that a tenured faculty member may be terminated:

- 1. By retirement upon attainment of retirement age and otherwise qualifying therefor;
- 2. By resignation and acceptance thereof;
- 3. By a dismissal for cause;
- 4. By a decision of the Board of Regents that termination is necessary due to changed academic program needs resulting in a situation so that there is no longer a teaching position available within the University for which the faculty member is qualified; or,
- 5. By a decision of the Board of Regents that termination is necessary because of financial exigencies of the institution.

The term of a faculty appointment for one year may be terminated prior to the stated expiration date:

- 1. By resignation and acceptance thereof: or
- 2. By dismissal for cause.

Causes for dismissal are specified in Kentucky Revised Statutes 164.360 and include ... "incompetence, neglect of or refusal to perform duties, or immoral conduct."

VII. Procedure for Termination Due to Financial Exigency

The Board of Regents has a paramount statutory duty to the people of Kentucky to maintain a quality educational program, but within the means of available financial resources as determined by the Council on Public Higher Education, the Governor, and the General Assembly. Accordingly, determination of the existence of financial exigency requiring economy measures is a prerogative reserved for the Board and will not be delegated.

However, the Board is fully aware of the fact that adjustments to financial crisis that include lay-off or termination of tenured faculty members is a matter of gravity and requires deliberate and thoroughly considered balancing of the public and private interests. Misunderstandings and disputes in such situations tend to dissipate the purpose, spirit, and academic climate of the institution, and to increase costs in

time and money. Therefore, the Board of Regents will exercise its prerogative to terminate tenured appointments because of financial exigency only under severe conditions, and after a determination that alternative economy measures to maintain a quality education program are not feasible under the prevailing circumstances.

Determination that a financial exigency exists of sufficient severity to require lay-offs and terminations will be made by the Board upon the basis of a thorough analysis of institutional needs and requirements, and available fiscal resources especially prepared by the President.

In making specific recommendations for termination of individual tenured faculty appointments required by financial exigency, the President shall take into account the following equitable considerations:

1. If funded vacancies exist, reasonable effort will be made to offer the tenured faculty member concerned another existing position within the institution for which the tenured faculty member is qualified by education and experience; and
2. In the event of the termination of a tenured faculty member that faculty member will not be replaced:
 - a. For a period of two years by another person of comparable qualifications at the same or higher salary without first offering reinstatement to the terminated tenured faculty member and allowing a reasonable time for acceptance;
 - b. By another person at a reduced level of compensation without first having offered the opportunity to continue at the reduced compensation to the tenured faculty member concerned and allowing a reasonable time for acceptance.
3. In the event of decisions to terminate faculty as a result of financial exigency, unless serious program distortion would result, tenured faculty members will have preference of retention over non-tenured faculty members. The following sequence will be observed:
 - a. Tenured faculty of superior academic rank would have preference of retention over tenured faculty of lesser rank.
 - b. A faculty member who has attained tenure prior to another faculty member of the same rank would have preference of retention over the latter faculty member.
 - c. If tenure and rank considerations are the same for two faculty members, i. e., they both were tenured on the same date and were promoted to their current rank on the same date, the faculty member with the longer period of employment with Western would have retention preference.

The President shall send to each tenured faculty member recommended for termination because of financial exigency a written notice of the Board's initial decision to make such termination. The notice shall include:

1. A statement of the basis for the initial decision to terminate tenured faculty members;
2. A description of the manner in which the decision to terminate this particular tenured faculty member was made; and,
3. A statement that the tenured faculty member will be provided an opportunity to have the particular decision affecting the faculty member reconsidered by the President with the advice of the Advisory Committee on Faculty Continuance.

The President shall also provide for disclosure to each such tenured faculty member and to the Advisory Committee on Faculty Continuance information and data upon

which the institution based its initial decision that financial exigency required termination of tenured faculty member.

A tenured faculty member who receives official notice of termination because of financial exigency may secure reconsideration of the decision by filing a request with the President within fourteen (14) days after receipt of notice.

A request shall be in writing and state facts that, if proved, would show that, given the chain of decisions which preceded the ultimate decision designating that tenured faculty member by name for termination, the ultimate decision was nevertheless arbitrary, capricious, or unreasonable.

The President shall refer the request to the Advisory Committee on Faculty Continuance for its reasoned advice and recommendation.

The Advisory Committee on Faculty Continuance shall proceed to consider the information furnished by the President to the tenured faculty member, and provide the tenured faculty member an opportunity to furnish it written information or statements tending to prove the accuracy and correctness of the facts stated in the request.

A genuine effort will be made to resolve the entire matter by informal methods of preliminary inquiry, consultation, discussion, and confidential mediation. No formal evidentiary hearing of an adversary nature will be conducted on such a complaint. If the difficulty is not resolved within three weeks, the Committee shall submit to the President a written report containing its advice and recommendation with a supporting statement of its specific reasons. After consideration of the report, the President shall make a decision which shall be final.

VIII. Procedure for Termination or Lay-off Due to Changing Program Needs

As in the case of the determination of the existence of financial exigency, the Board of Regents is also aware that adjustments to program need changes require deliberate and thoughtful planning and discussion. Therefore, the Board of Regents will terminate tenured faculty appointments because of program need change only after a determination that such changes are necessary and desirable.

In making specific recommendations for termination of individual tenured faculty appointments required by changing program needs, the President shall take into account the following considerations:

1. If funded vacancies exist, reasonable effort will be made to offer the tenured faculty member concerned another existing position within the institution for which the tenured faculty member is qualified by education and experience; and
2. In the event of the termination of a tenured faculty member that faculty member will not be replaced:
 - a. For a period of two years by another person of comparable qualifications at the same or higher salary without first offering reinstatement to the terminated tenured faculty member and allowing a reasonable time for acceptance;
 - b. By another person at a reduced level of compensation without first having offered the opportunity to continue at the reduced compensation to the tenured faculty member concerned and allowing a reasonable time for acceptance.
3. In the event of decisions to terminate faculty as a result of changing program needs, unless serious program distortion would result, tenured faculty members will have preference of retention over non-tenured faculty members. The following sequence will be observed:
 - a. Tenured faculty of superior academic rank would have preference of retention over tenured faculty of lesser rank.

- b. A faculty member who had attained tenure prior to another faculty member of the same rank would have preference of retention over the latter faculty member.
 - c. If tenure and rank considerations are the same for two faculty members, i. e., they both were tenured on the same date and were promoted to their current rank on the same date, the faculty member with the longer period of employment with Western would have retention preference.
4. Tenured faculty shall be given notification of one year beyond the date on the face of the current contract.

The President shall send to each tenured faculty member recommended for termination because of program need change notice of the Board's decision to terminate. The notice shall include a statement that the tenured faculty member will be provided an opportunity to have the particular decision affecting the tenured faculty member reconsidered by the President with the advice of the Advisory Committee on Faculty Continuance.

The President shall also provide for disclosure to each such tenured faculty member and to the Advisory Committee on Faculty Continuance information and data upon which the institution based its initial decision that changed program needs required termination of tenured faculty members.

A tenured faculty member who receives official notice of termination because of changed program needs may secure reconsideration of the decision by filing a request with the President within fourteen (14) days after receipt of notice.

The request shall be in writing and state facts that, if proved, would show that, given the chain of decisions which preceded the ultimate decision designating that tenured faculty member by name for termination, the ultimate decision was nevertheless arbitrary, capricious, or unreasonable.

The President shall refer the request to the Advisory Committee on Faculty Continuance for its reasoned advice and recommendation.

The Advisory Committee on Faculty Continuance shall proceed to consider the information furnished by the President to the tenured faculty member, and provide the tenured faculty member an opportunity to furnish it written information or statements tending to prove the accuracy and correctness of the facts stated in the request.

A genuine effort will be made to resolve the entire matter by informal methods or preliminary inquiry, consultation, discussion, and confidential mediation. No formal evidentiary hearing of an adversary nature will be conducted on such a request. If the difficulty is not resolved within three weeks, the Committee shall submit to the President a written report containing its advice and recommendation with a supporting statement of its specific reasons. After consideration of the report, the President shall make a decision which shall be final.

The following specific recommendations were presented by the President:

1. Parts I (Introduction) and II (Faculty Tenure Appointment Policy) be approved by the Board of Regents and adopted to become effective August 16, 1976. It was further recommended that the revised tenure policy apply to all faculty members who accept reappointment for the 1976-77 academic year and to all faculty members who are subsequently employed at Western.

2. Parts III (Advisory Committee on Faculty Continuance), IV (Procedure for Review of Non-Reappointment), V (Procedure for Dismissal), VI (Termination),

VII (Procedure for Termination Due to Financial Exigency), and VIII (Procedure for Termination or Lay-off Due to Changing Program Needs) be approved by the Board of Regents and adopted to become effective immediately.

In the discussion which followed, Dr. McCormack questioned some of the conditions of the proposed policy as being exactly fair to the faculty member and recommended that the Chairman appoint a committee from the Board of Regents to give further study to the revised tenure statement with the matter being held in abeyance until the next meeting of the Board on October 25. Dr. Buckman concurred in Dr. McCormack's recommendation; and after further discussion, the response in the affirmative carried, with Mr. Clark dissenting.

With the Board members having been provided with full details regarding the proposed purchase of five parcels of real estate contiguous to the Western campus and their relationship to the development of the Campus Master Plan, Mr. Ramsey moved adoption of the following resolution:

RESOLUTION

WHEREAS, it has been determined that additional land purchases are desirable for the orderly development and operation of Western Kentucky University in accordance with the long-range development plan; and

WHEREAS, certain tracts of land as listed herein are within the buffer zone of the long-range development plan and have significance to the continuing development and operation of the University; and

WHEREAS, said land should, in the judgment of this Board of Regents, pursuant to its duties and functions as set out in K. R. S. Chapter 164, be acquired, developed, and maintained for University purposes.

Said land and improvements are appropriately described as follows:

1. Land with improvements at 1409 Center Street as described in Deed Book 397 - Page 405.
2. Land with improvements at 1501 Center Street as described in Deed Book 397 - Page 405.
3. Land with improvements at 1505 Center Street as described in Deed Book 397 - Page 364.
4. A vacant lot south of property at 1505 Center Street as described in Deed Book 397 - Page 364.
5. Land with improvements at 330 E. 15th Street as described in Deed Book 203 - Page 531.

NOW THEREFORE, it is hereby determined that the subject property is needed and should be acquired for University purposes; and President Dero G. Downing and his delegated representatives are authorized to submit to the Commissioner, Executive Department for Finance and Administration, Commonwealth

of Kentucky, a request to purchase said property for the use and benefit of Western Kentucky University, provided it can be purchased within the scope of such appraisals as are required by the Commissioner, and at a price acceptable to the University.

This the 20th day of September, 1975.

The motion was seconded by Dr. Buckman; and after discussion, the vote was as follows:

Aye: Buckman, Clark, Cole, Edds, Embry, Henry, McCormack,
Poland, Ramsey, Ross

Nay: None

Under other business, the final item concerned the 1976-78 Biennial Budget Request in the amount of \$75,294,318. President Downing reviewed recent communications to the Board relative to this document, calling special attention to the one of September 17 in which it was (1) recommended that Western be authorized to join the other seven state-supported institutions in calculating a 10 percent cost-of-living factor into the budget request; and (2) stated that the Board may wish to call another special meeting to consider the document, which is scheduled to be submitted to the Council on Public Higher Education by October 1, since format questions at the state level made it impossible for Western to fully comply with the policy requiring the final draft to be sent to the Board two weeks in advance. Mr. Cole then moved adoption of the 1976-78 Biennial Budget Request subject to the adjustment in salary increments as explained and recommended in the President's memorandum of September 17. The motion was seconded by Mr. Clark.

Considerable discussion followed and centered primarily around the "Agricultural Exposition Center and Related Facilities" at an estimated building cost of \$3,300,000, one of the five capital construction projects previously authorized by the Board. In the discussion, (1) Dr. McCormack was critical of the format of the budget request, describing it as "impossible" to analyze, and expressed opposition to the building of the facility at the University Farm; (2) Dr. Buckman, while not speaking against the project, stated that sketchy information coming to him did not justify the facility to his satisfaction and that he was concerned; and (3) Mr. Henry, speaking on behalf of the student body, made a strong appeal for more adequate intermural facilities on the Western campus. In the President's remarks, he emphasized that the primary purpose of the Agricultural Exposition Center was to more adequately meet

the instructional, research, and service needs in the field of agriculture. He indicated that continued efforts were being made to incorporate into the facility some areas that would serve a dual or multipurpose function. For this reason, he added, the planning committee has included selected individuals who have contributed to the planning for some of the secondary functions which may eventually be accommodated, such as, student affairs, physical education, recreation, etc. In reviewing the planning that had taken place, President Downing explained that the initial proposal, which was designed to accommodate all of these functions, had been estimated to cost more than twice the amount now recommended for the project. For this reason, he indicated that it had been necessary to reduce the scope of the project to the extent that it serve the primary function for which it was proposed. In conclusion, he stated that the Center was badly needed in this geographic area not only to meet the academic and service needs of the University but to serve the agricultural interests in this part of Kentucky. There being no further discussion, the roll call vote for adoption of the 1976-78 Biennial Budget Request was as follows:


Aye: Buckman, Clark, Cole, Edds, Embry, Henry, Poland
Ramsey, Ross

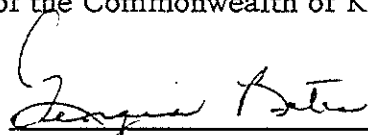
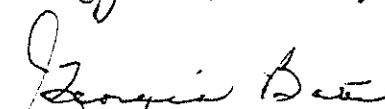
Nay: McCormack

There being no further business, on motion duly made and seconded, the meeting was adjourned at approximately 1:10 p.m.

CERTIFICATION OF SECRETARY

I certify that the minutes herein above set forth an accurate record of votes and actions taken by the Board of Regents of Western Kentucky University in its meeting held on September 20, 1975, in the Regents Conference Room of the Wetherby Administration Building on the Western campus and further certify that the meeting was held in compliance with Sections 2, 3, 4, and 5 of House Bill 100 enacted by the General Assembly of the Commonwealth of Kentucky at its 1974 Regular Session.


Chairman


Georgia Bates, Secretary

Secretary