

MINUTES OF MEETING OF BOARD OF REGENTS
WESTERN KENTUCKY UNIVERSITY
April 24, 1976

A regular meeting of the Board of Regents of Western Kentucky University was held on Saturday, April 24, 1976, at 2:00 p.m., CST, in the Regents Conference Room of the Administration Building on the Western campus. Dr. W. Gerald Edds, Chairman, presided.

The meeting opened with a prayer of invocation by Dr. Raymond L. Cravens, Vice President for Academic Affairs and Dean of the Faculties.

Mr. William M. Kuegel, Owensboro, and Mr. Ronald G. Sheffer, Henderson, having been appointed to 4-year terms by Governor Julian M. Carroll, qualified as members of the Board of Regents by taking the Constitutional Oath, which was administered by Miss Georgia Bates, Notary Public for the State of Kentucky and Secretary to the Board. Messrs. Kuegel and Sheffer were welcomed to membership on the Board.

The following members were present:

Dr. William G. Buckman
Mr. Ronald W. Clark
Mr. John David Cole
Dr. W. Gerald Edds
Dr. Chalmer P. Embry
Mr. Stephen L. Henry
Mr. William M. Kuegel
Mr. John L. Ramsey
Mr. Ronnie G. Sheffer

Absent was Mr. Hugh Poland.

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

The reorganization of the Board followed. Mr. Clark moved the reelection of Dr. Embry and Miss Bates as Vice Chairman and Secretary, respectively, and the reappointment of Mr. Largen as Treasurer. The motion was seconded by Mr. Cole; and there being no further nominations, it carried unanimously.

The minutes of the special meeting held on February 28, 1976, were presented by the Chairman. Following discussion, Mr. Ramsey moved, with a second by Mr. Cole, that the minutes be adopted without a reading inasmuch as copies had been mailed to the members and were found to be in order. The motion carried unanimously.

In compliance with previous action of the Board, information covering all items on the agenda with the exception of reports by three special committees had been mailed by the President to the members.

The 1976-77 Operating Budget in the amount of \$37,308,396, including the recommended plan for personnel compensation, was presented for the consideration of the Board. In a comprehensive statement, President Downing reviewed the chronological development over the past several months culminating in the recommendation for the adoption of the Operating Budget, which "represents our combined best judgment as we have attempted to incorporate into this important document sound principles of fiscal management that will serve as the guideline for the administration of the fiscal affairs of the University for the coming fiscal year, commencing July 1, 1976."

Detailed information provided at the time of transmittal of the budget document to the Board members included the following comparative breakdown of resources and expenditures:

| | <u>1975-76</u> | <u>1976-77</u> |
|-----------------------------------|---------------------|---------------------|
| <u>Resources</u> | | |
| Governmental Appropriations | \$20,967,747.00 | \$23,825,506.00 |
| Student Fees | 5,110,327.00 | 5,860,200.00 |
| Auxiliary Services Income | 3,758,251.00 | 4,044,990.00 |
| Other Resources | <u>2,759,229.00</u> | <u>3,577,700.00</u> |
| Total Resources | 32,595,554.00 | 37,308,396.00 |
| <u>Expenditures</u> | | |
| Instruction and Departmental | | |
| Research and Organized Activities | | |
| Relating to Instruction | 13,218,924.00 | 15,195,406.00 |
| Student Financial Aid | 1,663,750.00 | 2,330,000.00 |
| Staff Benefits | 1,535,478.00 | 1,842,803.00 |
| Other Education and General | | |
| Expenditures | 12,248,740.00 | 13,519,279.00 |
| Auxiliary Services (including | | |
| Debt Service) | <u>3,928,662.00</u> | <u>4,420,908.00</u> |
| Total Expenditures | \$32,595,554.00 | \$37,308,396.00 |

Attention was directed by the President to the following significant points relating to the Operating Budget:

1. "We must keep before us the fact that the Operating Budget is considerably more than dollars and cents. It represents our best judgments and the combined best efforts of those charged with this responsibility to coordinate and utilize the available resources in the fulfillment of the mission and purposes of Western Kentucky University

in the areas of instruction, research, and public service. It represents educational programs, activities, and supporting services. I hope we will not lose sight of the fact that it is a means by which the University can continue to serve a meaningful role in public higher education in Kentucky.

2. "The 1976-77 Operating Budget contains the potential and the opportunity for significant improvement and strengthening of the institution. It reflects the support given to our endeavors by the Governor of the Commonwealth, the General Assembly, and, indeed, the citizens of Kentucky. It is our responsibility to utilize these resources in a manner that will be deserving of such support. We must aspire to getting full value for each dollar expended.

3. "It is important that we project sufficiently into the future to anticipate how the utilization of existing resources can best prepare and undergird the University in subsequent years. In doing so we recognize that the funds which are available in the first year of the biennium will in many cases have to serve as the principal source of added support for an extended period of time. What I am attempting to point out is the fact that considerably more financial support has been made available in the first year of the biennium than has been the case in the 1977-78 fiscal year. It is obvious that one year hence we will be far from the current position, which makes it even more important that we make as much progress in as many of the areas of the University as possible.

4. "Careful attention has been given to certain basic principles that are considered to be particularly important as guidelines for sound fiscal management. The following are examples of some of the basic concepts to which we have adhered in developing these recommendations:

a. Funds have been allocated to meet all legal obligations and fixed costs to which the University is committed.

b. Allocations have been made for all expenditure categories within the Education and General Budget at a level required to maintain the high quality of existing educational programs and supporting services.

c. Budget requests have been made by each department and unit in the organizational structure of the University. These requests have been studied and carefully reviewed in an attempt to establish needs, justifications, and priorities within departments and throughout the institution.

d. A conscientious effort has been made to accurately estimate or project anticipated resources from all available sources. These are identified in the income side of the recommended Operating Budget. Furthermore, tentative estimates of proposed expenditures in the budget have been established in accordance with the procedures and policies previously adopted by the Board of Regents."

The President then elaborated upon the personnel services portion of the document, which constitutes the largest single expenditure, outlining the basic objectives that have been set forth by the University and have served as the principles upon which judgments have been made that "hopefully will enable us to maintain a sound personnel system," and briefly reviewed the chronological developments of the process through which the plan of personnel compensation evolved. The proposed salary schedule for 1976-77 was presented by him as a "confidential working paper which contains background and historical personnel materials prepared for the exclusive use of the members of the Board of Regents."

Full discussion followed relative to the proposed 1976-77 Operating Budget.

President Downing and officials working with him were commended by certain members

of the Board upon the excellence which characterized the document and the comprehensive manner in which it had been documented and explained. With reference to the recommended plan of personnel compensation and in noting that no projection in salary had been carried forward for the President, Chairman Edds directed attention to Mr. Clark's communication to the Board in which he had proposed an increase of 8.5 percent.

Mr. Ramsey then moved adoption of the 1976-77 Operating Budget as presented, with the recommended salary schedule for the coming school year to include a salary increase of 8.5 percent for the President. The motion was seconded by Mr. Henry; and there being no further discussion, the roll call vote was as follows:

Aye: Clark, Cole, Edds, Embry, Henry, Kuegel, Ramsey, Sheffer

Nay: None

Pass: Buckman

In approving the 1976-77 Operating Budget, the Board endorsed the President's recommendation for the preparation of the official Schedule of Personnel Compensation, listing all University employees in alphabetical order with the 1976-77 annual contract salary effective August 16, 1976. This Schedule of Personnel Compensation will be in the form of a supplement to the minutes of the Board of Regents maintained by the Secretary to the Board to be made available upon appropriate request as any other portion of the minutes.

Listings of personnel changes subsequent to January 30, 1976, including recommendations for promotions in rank, were presented. After preliminary remarks, President Downing called special attention to the following recommendations in areas of major significance:

1. The granting of a sabbatical leave to Dr. Raymond L. Cravens, Vice President for Academic Affairs and Dean of the Faculties, for the academic year 1976-77. Western has been requested by Dr. A. D. Albright, Executive Director, Council on Public Higher Education, to make the services of Dr. Cravens available to the Council on a mutually satisfactory basis for a period of several months, working on aspects of the Phase I Comprehensive Planning Process for Higher Education. Upon the application of Dr. Cravens, who had previously discussed with the President the possibility of a sabbatical leave for the coming summer to pursue projects related to his professional development, the President requested authorization to proceed with the implementation of a definite plan that would enable Dr. Cravens to make this special contribution to the work of the Council on Public Higher Education. With the approval of the Board, assurance was given by Dr. Downing that proper steps would be followed to ensure the ongoing operation of the Office of Academic Affairs so that the duties and responsibilities of that office would be carried out in an effective manner.

2. The naming of Dr. Robert Melville as Acting Head of the Department of Secondary Education. With the upcoming retirement of Dr. Paul Power, Head of that department, and upon the proposal of the Dean of the College of Education and the endorsement of the Vice President for Academic Affairs and Dean of the Faculties, it was recommended that Dr. Melville be named Acting Head until such time as the Department of Secondary Education is reorganized and a recommendation is made for the naming of the person who will be selected for the headship of that department.

3. The reassignment of Dr. Edmund Hegen as Director of International Projects. Dr. Hegen now serves as Head of the Department of Geography and Geology

and Coordinator of Latin American Projects. In the reassignment, he would be responsible for the direction, coordination, and development of Latin American projects in which the University is currently engaged and anticipated in the future. The effective date of Dr. Hegen's reassignment would remain open pending the development of a plan which would ensure the effective administration of the Department of Geography and Geology.

The complete listings follow:

Part I. Faculty Personnel Changes

NEW FACULTY

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|--|---------------|--|
| <u>College of Applied Arts and Health</u> | | |
| Military Science: Captain Jerry W. Ward | N/A | 8/16/76; Assistant Professor |
| <u>Bowling Green College of Business and Public Affairs</u> | | |
| Business Administration: Mr. William W. McCartney | \$15,396 | 8/16/76; Instructor; Assistant Professor upon completion of doctorate; replaces Dr. Robert Nelson; \$15,996 with doctorate |
| Mr. Philip M. Van Auken | 15,396 | 8/16/76; Instructor; Assistant Professor upon completion of doctorate; replaces Dr. Betty Yantis; \$15,996 with doctorate |
| <u>Potter College of Arts and Humanities</u> | | |
| Music: Miss Sylvia Kersenbaum | 18,000 | 8/16/76; Professor; replaces Dr. Barbara Hill |
| History: Dr. Richard Salisbury | 16,800 | 8/16/76; Associate Professor; replaces Mr. Paul Kramer |
| <u>Ogden College of Science and Technology</u> | | |
| Mathematics and Computer Science: Mr. Charles Perry Locke | 12,000 | 8/16/76; Instructor; straight twelve months' basis |

PART-TIME FACULTY

| | | |
|--|-----------------|---|
| <u>Bowling Green College of Business and Public Affairs</u> | | |
| Distributive Education and Mid-Management: Mr. J. T. Graham | \$600 per month | 2/24-8/15/76; temporarily funded under a grant from the Kentucky Real Estate Commission; instructor; part-time position |

FACULTY REAPPOINTMENT

Potter College of Arts and Humanities

| | | |
|--|--|---|
| Foreign Languages: Dr. Raul Padilla | | Reappointed for the 1976-77 academic year per recommendation of Advisory Committee on Faculty Continuance; stipulated that notification date for recommendation on reappointment status for 1977-78 be January 1, 1977, instead of October 31, 1976. (See report to Board of Regents dated April 7, 1976) |
|--|--|---|

Part I. Faculty Personnel Changes (continued)

FACULTY REAPPOINTMENT
(continued)

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|---------------------------|---------------|---|
| History: Dr. David Lee | | One-year appointment extended for 1976-77 school year; fall semester paid with funds from Humanities Grant; replace Mrs. Helen Crocker in the spring semester |

FACULTY REASSIGNMENT

College of Education

Secondary Education:

Dr. Robert Melville

8/16/76; Acting Head of Department; replacing Dr. Paul Power who is retiring

FACULTY MEMBERS RECOMMENDED FOR PROMOTION IN RANK
(effective August 16, 1976)

| <u>Name</u> | <u>Department</u> |
|----------------------------|--|
| <u>Professor</u> | |
| Dr. Charles M. Ray | Business Education and Office Administration |
| Dr. Robert L. Rees | Library Services |
| Dr. Frank Steele | English |
| Dr. Ronald A. Veenker | Philosophy and Religion |
| Dr. Stanley H. Brumfield | Counselor Education |
| Dr. James R. Craig | Psychology |
| Dr. Kenneth A. Estes | Educational Administration and Foundations |
| Dr. Franklin Conley | Industrial Education and Technology |
| Dr. J. David Dunn | Health and Safety |
| Dr. Robert D. Farina | Chemistry |
| Dr. Walter Feibes | Mathematics and Computer Science |
| Dr. Wilford E. Fridy | English |
| Dr. Wayne C. Hobbs | Music |
| Dr. Wayne L. Hoffman | Geography and Geology |
| Dr. Edward N. Kearney | Government |
| Dr. Robert E. Nelson | Business Administration |
| Dr. William J. Nolan | Secondary Education |
| Dr. W. C. Normand | Agriculture |
| <u>Associate Professor</u> | |
| Mr. Billy M. Adams | Agriculture |
| Dr. Charles M. Anderson | Media Services |
| Miss Robye Anderson | Physical Education and Recreation |
| Dr. Robert A. Baum | Health and Safety |
| Mr. John B. Carr | Engineering Technology |
| Dr. John H. Crenshaw | Mathematics and Computer Science |
| Miss Imogene Foster | Library Services |
| Dr. Bruce A. Goodrow | Health and Safety |
| Dr. Richard L. Hackney | Physics and Astronomy |
| Dr. Virgil E. Hale | Music |
| Mr. Harold P. Hepler | Sociology and Anthropology |
| Mr. James R. Jones | Music |
| Dr. Shirley A. Laney | Physical Education and Recreation |
| Miss Betty M. Langley | Physical Education and Recreation |
| Dr. Sam G. McFarland | Psychology |
| Dr. Robert L. Martin | Foreign Languages |
| Dr. Richard L. Miller | Psychology |
| Mr. John W. Oakes | Art |
| Dr. Robert A. Otto | Elementary Education |
| Dr. Earl F. Pearson | Chemistry |
| Dr. John T. Riley | Chemistry |

Part I. Faculty Personnel Changes (continued)

FACULTY MEMBERS RECOMMENDED FOR PROMOTION IN RANK
(effective August 16, 1976)

| <u>Name</u> | <u>Department</u> |
|--|----------------------------------|
| <u>Associate Professor (continued)</u> | |
| Dr. Alma F. Robinson | Counselor Education |
| Dr. Norma J. Schira | Health and Safety |
| Dr. William L. Shanklin | Business Administration |
| Dr. David A. Shiek | Psychology |
| Dr. Arvin G. Vos | Philosophy and Religion |
| Dr. Dale Wicklander | Mass Communications |
| Dr. Robert Pulsinelli | Economics |
| <u>Assistant Professor</u> | |
| Mr. Tom A. Foster | Media Services |
| Miss Mildred B. Gwaltney | Library Science |
| Mrs. Elaine M. Harrison | Kentucky Library |
| Mr. Roger W. Loewen | Mass Communications |
| Mr. John E. Long | Philosophy and Religion |
| Mr. Bruce A. MacLeish | Kentucky Museum |
| Mr. Larry D. Mayhew | Philosophy and Religion |
| Mr. Joerg Seitz | Government |
| Mrs. Ruth T. Morris | Music |
| Miss Carol L. Reagles | Mathematics and Computer Science |
| Mrs. Patricia M. Taylor | Speech and Theatre |
| Dr. Benjamin W. Woodruff | Music |
| Miss Joan L. Dickey | Mass Communications |
| <u>Instructor</u> | |
| Mr. Paul Witten | Media Services |
| Miss Mary Ellen Taylor | Reading and Special Education |
| Mrs. Karen L. Niehaus | Nursing |
| Mrs. Nancy Rascoe | Nursing |

Associate Instructor

| | |
|---------------------|----------------|
| Mr. Robert G. Baize | Media Services |
|---------------------|----------------|

SABBATICAL LEAVES

| <u>Name</u> | <u>Effective Date and Remarks</u> |
|--|--|
| <u>Bowling Green College of Business and Public Affairs</u> | |
| Accounting: Dr. Charles T. Hays | 1976 summer session |
| <u>College of Education</u> | |
| Counselor Education: Dr. Stanley Brumfield Dr. Thomas Updike | 1976 summer session Eight weeks of 1977 spring semester |
| Physical Education and Recreation: Dr. Burch E. Oglesby | 1976 summer session |
| <u>Ogden College of Science and Technology</u> | |
| Agriculture: Dr. William Stroube | 1977 spring semester |
| <u>Office of Academic Affairs</u> | |
| Dr. Raymond L. Cravens | 1976-77 academic year |

Part I. Faculty Personnel Changes (continued)

LEAVES OF ABSENCE

Academic Services

Library Services:

Mrs. Lenore Alden

7/1/76-6/30/77; medical leave of absence

College of Education

Industrial Education and Technology:

Mr. Gregory C. Petty

1976-77 school year; continuing graduate work

Graduate College and History

Mr. Bill L. Weaver

Extended for period 5/1/76-5/15/77

Potter College of Arts and Humanities

Art:

Mr. Maurice Sevigny

Extended for one year, effective 8/16/76; continue work toward doctoral degree

History:

Mrs. Helen B. Crocker

1977 spring semester; work toward doctorate

Ogden College of Science and Technology

Mathematics and Computer Science:

Mr. R. Glenn Powers

1976-77 school year; continue work toward doctorate

Physics and Astronomy:

Dr. Ed S. Dorman

1976-77 school year; continue work on the development of a 1.315 micron neodymium laser

RETIREMENTS

Name

Effective Date and Remarks

Bowling Green College of Business and Public Affairs

Business Education and Office

Administration:

Mr. R. M. Ashby

June 30, 1976

Miss Lena C. Ellis

May 8, 1976

College of Education

Physical Education and Recreation:

Dr. Milo G. Karsner

July 31, 1976

Dr. Fred Kirchner

May 8, 1976

Secondary Education:

Dr. Paul Power

August 15, 1976

Potter College of Arts and Humanities

English:

Mrs. Edith Curry

May 8, 1976

Speech and Theatre:

Dr. Lee Mitchell

June 30, 1976

Part I. Faculty Personnel Changes (continued)

RETIREMENTS
(continued)

| <u>Name</u> | <u>Effective Date and Remarks</u> |
|-------------------------------|--|
| <u>Academic Services</u> | |
| Library Services: | |
| Mrs. Martha Jean Clark | June 30, 1976 |
| Mrs. Dorothy C. Garrett | March 31, 1976 |
| <u>Administrative Affairs</u> | |
| Athletics: | |
| Mr. Ted Hornback | Retired from full-time faculty status on 7/1/71; now retiring in part-time position as head tennis coach |

RESIGNATIONS

| | |
|---|-------------------|
| <u>College of Applied Arts and Health</u> | |
| Health and Safety: | |
| Dr. Joy M. Kirchner | June 30, 1976 |
| Dental Hygiene: | |
| Mrs. Dana Lynn Grogan | May 15, 1976 |
| Miss Sharon Savage | August 15, 1976 |
| <u>College of Education</u> | |
| Center for Career and Vocational Teacher Education: | |
| Dr. John H. Hillison | May 31, 1976 |
| Jones-Jaggers Laboratory School: | |
| Mrs. Arden K. Watson | July 31, 1976 |
| Dr. Nell F. Wiser | August 15, 1976 |
| <u>Potter College of Arts and Humanities</u> | |
| Speech and Theatre: | |
| Mr. Richard C. Murrell, Jr. | June 30, 1976 |
| <u>Academic Services</u> | |
| Library Services: | |
| Mr. Nelson Shields | March 25, 1976 |
| <u>Ogden College of Science and Technology</u> | |
| Biology; Physics and Astronomy: | |
| Dr. Stephanie Drake | February 13, 1976 |
| Chemistry: | |
| Dr. William G. Lloyd | August 15, 1976 |
| <u>Bowling Green College of Business and Public Affairs</u> | |
| Accounting: | |
| Dr. John A. Thompson | May 15, 1976 |

Part II. Other Personnel Changes

NEW STAFF

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|--|---------------|---|
| <u>Institutional Research</u> | | |
| Mr. Joseph Osborne | \$15,400 | 4/26/76; Research Associate; 12-month basis |
| <u>Computer and Informational Services</u> | | |
| Mrs. Rhonda Ashley | 515 per month | 3/15/76; senior secretary; twelve months' basis; replaces Mrs. Jetta Krantz |
| <u>Academic Affairs</u> | | |
| Western Eagle PREP Program: | | |
| Mrs. Jennifer G. Williams | 550 per month | 4/1-6/15/76; administrative secretary; replaces Mrs. Sybol Sherrill |
| Admissions: | | |
| Mrs. Susan P. Yankey | 450 per month | 3/8/76; receptionist; twelve months' basis; replaces Mrs. Rhonda L. Ashley |
| <u>Administrative Affairs</u> | | |
| Student Affairs (Housing): | | |
| Mrs. Charlotte Diane Wade | 440 per month | 3/15/76; General Clerk I; twelve months' basis; replaces Mrs. Bonnie Oldham |
| Athletics: | | |
| Miss Adele Gleaves | 2,000 | 8/16/76; head gymnastics coach; replace Mr. Ray Rose; one-year appointment |
| <u>Business Affairs</u> | | |
| Personnel Services: | | |
| Mrs. Kathleen M. Petersen | 450 per month | 3/22/76; payroll clerk; twelve months' basis; replaces Mrs. Geneva Ray |
| Purchasing: | | |
| Mr. William David Dodds | 439 per month | 4/1/76; shipping/receiving clerk; twelve months' basis; replaces Mr. Lawrence S. Owens |
| Miss Belinda Faye Stone | 440 per month | 4/1/76; General Clerk II; twelve months' basis; position changed from hourly to monthly basis |
| Central Stores: | | |
| Mr. Gary A. Morgan | 440 per month | 4/12/76; clerk; twelve months' basis; replaces Mrs. Katheryn Bray |
| <u>College of Applied Arts and Health</u> | | |
| Military Science: | | |
| Mrs. Mary Nell Ralph | 450 per month | 3/22/76; departmental secretary; temporary basis |
| <u>College of Education</u> | | |
| Teacher Corps: | | |
| Mrs. Vivian Denise Reece | 440 per | 1/26/76; temporary basis; replaces Miss Deborah Myers; secretary |

Part II. Other Personnel Changes (continued)

NEW STAFF
(continued)

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|---------------------------------------|---------------------|--|
| <u>Academic Services</u> | | |
| Library Services: Mr. David Runner | \$ 434 per month | 4/1/76; twelve months' basis; clerical assistant; replaces Mrs. Linda Sholar |

STAFF REAPPOINTMENT

College of Education

| | | |
|-----------------|------------------|--|
| Mr. Robert Cobb | 850 per month | 2/1-9/30/76; staff assistant; funded by a grant by the National Institute of Education |
|-----------------|------------------|--|

STAFF PROMOTION OR REASSIGNMENT

Business Affairs

| | | |
|--------------------------------------|------------------|---|
| Purchasing: Mr. Lawrence S. Owens | 600 per month | 3/15/76; promoted to senior shipping and receiving clerk; twelve months' basis; replaces Mr. Noel Vincent |
|--------------------------------------|------------------|---|

Academic Services

| | | |
|---|------------------|---|
| Library Services: Mrs. Vicki T. Gentry | 450 per month | 2/16/76; clerical assistant; reassigned from temporary to regular basis; re- places Mrs. Rita Mullins |
|---|------------------|---|

Academic Affairs

| | | |
|------------------|--|---|
| Dr. Edmund Hegen | | Reassign from Head of Department of Geography and Geology and Coordinator of Latin American Projects to position as Director of International Projects |
|------------------|--|---|

Administrative Affairs

| | | |
|----------------------------|-----------|--|
| Athletics: Mr. Ray Rose | no change | Reassign from head gymnastics coach to head tennis coach; teaching assignment in Department of Physical Education and Recreation would remain the same; re- place Mr. Ted Hornback as tennis coach |
|----------------------------|-----------|--|

STAFF MEDICAL DISABILITY RETIREMENT

Business Affairs

| | | |
|---------------------------------------|--|---------------|
| Central Stores: Mrs. Katheryn Bray | | 3/5/76; clerk |
|---------------------------------------|--|---------------|

STAFF RESIGNATIONS

College of Education

| | | |
|---|--|--------------------|
| Teacher Corps: Miss Deborah Lynn Myers | | 1/13/76; secretary |
|---|--|--------------------|

Part II. Other Personnel Changes (continued)

| <u>Name</u> | <u>STAFF RESIGNATIONS (continued)</u> <u>Effective Date and Remarks</u> |
|--|--|
| <u>Academic Services</u> | |
| Library Services: | |
| Mrs. Linda Sholar | 4/6/76; clerical assistant |
| Mrs. Judith King (Kentucky Library) | 5/25/76; clerical assistant |
| <u>Computer Center</u> | |
| Mrs. Jetta Krantz | 3/31/76; senior secretary |
| <u>Academic Affairs</u> | |
| Western Eagle PREP Program: | |
| Mrs. Sybol Sherrill | 4/14/76; administrative secretary |
| Admissions: | |
| Mrs. Rhonda Ashley | 2/11/76; receptionist |
| <u>Administrative Affairs</u> | |
| Health Services: | |
| Dr. Robert L. Hoffman | 6/15/76; Health Services Physician |
| University-School Relations: | |
| Mr. Kenneth Graham | 3/12/76; field representative |
| <u>Business Affairs</u> | |
| Purchasing: | |
| Mrs. Evelyn C. Darnell | 2/27/76; Buyer |

PERSONNEL CHANGES
Supplemental List

Part I. Faculty Personnel Changes

NEW FACULTY

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|--|---------------|--|
| <u>Potter College of Arts and Humanities</u> | | |
| Art: | | |
| Mr. Christopher A. Kakas | \$13,000 | 8/16/76; assistant professor; replace Mr. S. V. Rama Rao |

CHANGE IN LEAVE OF ABSENCE

College of Applied Arts and Health

Health and Safety:
Mr. Ray P. Biggerstaff, Jr. Request leave of absence previously approved for 1976-77 school year be withdrawn

DECEASED

Ogden College of Science and Technology

Physics and Astronomy:
Mr. Floyd M. Carter Passed away April 10, 1976, following a lengthy illness

RESIGNATION

Bowling Green College of Business and Public Affairs

Business Administration:
Dr. William O. Bearden August 15, 1976

PART TIME

Potter College of Arts and Humanities

English and Mass Communications:
Dr. Ahmes Malik 8,215 Continuation of employment on part-time, temporary basis for the 1976-77 school year

Part II. Other Personnel Changes

NEW SECRETARIAL AND CLERICAL STAFF

Administrative Affairs

Public Affairs and Public Relations:
Miss Shirley Ann Smith 440 per month 5/10/76; administrative secretary; temporary basis

SECRETARIAL AND CLERICAL
REASSIGNMENT AND/OR PROMOTION

Office of the President

Miss LaDonna Diane Hargis 500 per month 5/10/76; administrative secretary; reassigned from a part-time to a full-time position

Part II. Other Personnel Changes

SECRETARIAL AND CLERICAL
REASSIGNMENT AND/OR PROMOTION (continued)

| <u>Name</u> | <u>Salary</u> | <u>Effective Date and Remarks</u> |
|---|---------------------|--|
| <u>Academic Affairs</u> | | |
| WKU Eagle PREP Program: Mrs. Mary Fleming | \$ 525 per month | Promote to administrative secretary, effective upon date of return from present leave of absence |
| RETIREMENT | | |
| <u>Business Affairs</u> | | |
| Personnel Services: Mrs. Dorothy M. Smith | | June 30, 1976; General Clerk II |
| RESIGNATIONS | | |
| <u>Academic Affairs</u> | | |
| WKU Eagle PREP Program: Mrs. Jennifer G. Williams | | 4/21/76; administrative secretary |
| <u>Business Affairs</u> | | |
| College Heights Bookstore: Mr. Nathaniel H. Love, III | | 3/31/76; Staff Assistant |
| <u>College Heights Foundation</u> | | |
| Miss Marlene Railey | | 5/5/76; administrative secretary |
| <u>College of Education</u> | | |
| Elementary Education: Mrs. Marlene F. Pate | | 5/7/76; departmental secretary |
| Teacher Admissions, Certification, and Student Teaching: Mrs. Brenda Lane | | 5/14/76; General Clerk II |
| Teacher Corps: Mrs. Vivian Denise Reese | | 4/16/76; secretary |

After discussion and upon the President's recommendation, Mr. Clark moved approval of the personnel changes. The motion was seconded by Mr. Kuegel, and the roll call vote follows:

Aye: Clark, Cole, Edds, Embry, Henry, Kuegel, Ramsey, Sheffer

Nay: None

Pass: Buckman

Later in the meeting Dr. Embry requested that his vote on the above action be changed from "aye" to "nay." After succinctly reviewing actions of the Board over the past several months regarding the status of Dr. Raul Padilla, Dr. Embry stated that in his opinion no evidence had been produced since that time to change his feeling that Dr. Padilla should be granted tenure and that a vote for the recommendation as above stated would be saying in essence that "Dr. Padilla does not deserve tenure."

A series of recommendations to the President from the Vice President for Academic Affairs and Dean of the Faculties--the result of studies, conferences, etc., with the Council of Deans, Academic Council, department heads, and the President--was presented by Dr. Downing and recommended by him for approval. The complete report follows:

I. Recommendations from the Academic Council:

A. Proposal for Master of Arts Degree in Education Leading to the Standard Junior High School Certificate. The Department of Secondary Education proposes to offer a curricular program at the graduate level designed to provide post-baccalaureate education for students who have completed baccalaureate work in junior high/middle school education. State requirements call for baccalaureate graduates with provisional junior high school certificates to start graduate work to complete additional hours required for continued certification. Western has a number of graduates of the baccalaureate program who are now needing to obtain the graduate program. The graduate program can be implemented with existing resources.

B. Proposal to Drop the Major in Latin. The Department of Foreign Languages proposes to drop the major program in Latin because of extremely limited student activity in this area of study. The minor in Latin will continue and Latin courses will continue to be offered as supportive to the romance languages and other modern languages.

C. Policy for Acceptance and Utilization of Graduate Courses Taught via Television.

1. The University may grant graduate credit for courses taught via television by Western or another university provided:

a. The student has met the graduate college requirements for enrollment in a graduate course.

b. The course has been presented in the standard format approved according to the established procedures for graduate courses.

2. The University may accept graduate courses taught via television as transfer credit provided that:

a. The course credits are included on the official transcript from an accredited university.

b. The course work meets the graduate college regulations on transfer work.

D. Proposal for a Medical Records Technician/Medical Records Administration Program. Approval was given to the implementation of this new program by action of the Board of Regents on September 20, 1975, as it was included in the 1976-78 Biennial Budget Request. This is a proposal for a curriculum to provide education for students interested in careers in the medical records area. The proposed program would be based on the concept of providing an associate degree program for medical records technicians. Upon successful completion of this program and the credentialing process, a student would then be eligible to proceed with the medical records administration phase of the program which would lead to a bachelor's degree with an area of concentration in medical records. Data concerning student interest and current job openings indicate that this would be a program with student interest and good career opportunities. The development of this program will require the addition of faculty and staff resources, new courses, and other new instructional support items. The program has been endorsed by the

American Medical Records Association. This program has also been favorably reviewed by the Health Programs Advisory Committee and will be considered for approval by the Council on Public Higher Education.

E. Proposed Revision in the University Withdrawal Policy. A student may add courses within the first eight class days in a semester at the University or the first four class days of a summer session or bi-term. During a regular term, a student may drop a course with a grade of "W," "WP," "WF," or "F" under the following conditions:

1. A student may withdraw from a course through the sixth week (30 class days) of class and receive a grade of "W."
2. Between the end of the sixth week (30 class days) and the end of the first bi-term, a student who withdraws from a course must be assigned a grade of "WP" or "WF" by the instructor.
3. A student may not officially withdraw from any course after the beginning of the second bi-term, and thereafter, students unofficially withdrawing will receive a grade of "F" for the course.

However, when there are extenuating circumstances and at the discretion of the faculty member, the student may be permitted to withdraw with a mark of "W" instead of "WF" or "F."

During a bi-term or summer term, a student may drop a course with a grade of "W," "WP," or "F" under the following conditions:

1. A student may withdraw from a course within the first three weeks of class and receive a mark of "W."
2. After the "W" period has elapsed, a student who withdraws from a course must be assigned a grade of "WP" or "WF" by the instructor. The "WP - WF" period shall extend through the fourth week of class.
3. A student may not officially withdraw from any course after the fourth week of class, and thereafter, students unofficially withdrawing will receive a grade of "F" for the course.

However, when there are extenuating circumstances and at the discretion of the faculty member, the student may be permitted to withdraw with a mark of "W" instead of "WF" or "F."

F. Recommendation for Establishment of the Degree of Bachelor of Science in Nursing. While the Board of Regents has previously approved the baccalaureate degree program in Nursing, formal approval is sought for the establishment of the degree of Bachelor of Science in Nursing to be awarded to students who successfully complete this new program.

II. Proposed Establishment of the Center for Child Learning and Study in the College of Education:

The Center was proposed early in the biennial budget request as a high priority item for implementation. It will be the purpose of the Center for Child Learning and Study to operate an integrated program of instruction, service and research that fosters a high level of expertise in providing optimum learning environments for children. This purpose will be accomplished through efforts directed toward the following broad goals:

1. To offer a variety of training experiences for graduate and undergraduate students in the College of Education through developing and demonstrating unique educational programs for children which are not available in most public schools.
2. To provide diagnostic prescriptive training services to public schools and individuals.

3. To conduct a research program that investigates the development of children who are experiencing a controlled educational environment that is consistent with educational theory.

All items in the report were discussed and further explained by Vice President Cravens. Mr. Cole moved approval of the six recommendations from the Academic Council and the proposed establishment of the Center for Child Learning and Study in the College of Education. Seconded by Dr. Buckman and there being no further discussion, the motion carried unanimously.

As a follow-up to his report to the Board on January 31, 1976, and in keeping with action taken at that meeting, Mr. Cole, Chairman of the Bylaws Committee, presented the following documents:

1. Proposed Bylaws for the Western Kentucky University Board of Regents.
2. Proposed Introduction and Text for Governing Statutes, Rules and Policies of Western Kentucky University.

Referring to his letter dated April 13 which transmitted the documents to Dr. Chalmer P. Embry and other members of the Committee, namely, Attorney William E. Bivin, Mr. Steve Henry, and Dr. Randall Capps, it was noted by Mr. Cole that all members of the Board and the President had been provided with copies of the documents at that time with the request that any suggestions as to change or revision in the Bylaws be brought to his attention as soon as possible. He added that no such suggestions had been received.

In commenting on the second document, which was for the purpose of implementing the Bylaws, Mr. Cole stated that such document constituted the beginning of a codification of statutes and policies of the Board of Regents and rules promulgated by the President pursuant to Board action. In pointing out that no central index has been maintained from which Board action, either by policy or statute, and the regulations enacted by the President pursuant thereto could be determined, Mr. Cole proposed that the document at hand be included in the Committee's report as a first step toward a codification of University policy, statutes, and regulations.

In the discussion which followed, the Bylaws Committee was commended by Mr. Ramsey upon the excellence which characterized a "tremendous assignment." He and Chairman Edds suggested a couple of additions which were acceptable to the Board, after which Mr. Cole moved adoption of the following Bylaws, subject to the changes as indicated by underlines:

BYLAWS OF THE BOARD OF REGENTS
WESTERN KENTUCKY UNIVERSITY

A. Officers

1. Chairman. The Chairman and Vice Chairman are elected by the Board members annually for a one-year term. The Chairman:
 - a. Calls special meetings upon written request of the President or any two members of the Board;
 - b. Presides at all meetings; and
 - c. Performs such other functions as specifically authorized by the full Board.
2. Vice Chairman. The Vice Chairman acts for the Chairman when the latter is absent from a meeting.
3. Secretary. The Secretary is elected by the Board, need not be a member; and:
 - a. Prepares all books, records, and papers belonging to the Board;
 - b. Keeps a journal of the proceedings of the Board setting forth an accurate record of votes and actions taken;
 - c. Prepares and distributes the agenda for meetings as developed by the President and the Chairman;
 - d. Gives required notices of meetings; and
 - e. Attends all meetings and sessions of the Board and certifies compliance with KRS 61.810, 61.815, 61.820, and 61.825.¹
4. Treasurer. The Treasurer is appointed by the Board, need not be a member, and receives and disburses all money and reports to the Board on the financial status and fiscal affairs of the University at quarterly meetings. Each year the Treasurer furnishes an abstract containing full accounts of money received and disbursed during the preceding year. The Treasurer performs such other duties and makes such other reports as the Board requires.

B. Time and Procedures for Election of Officers

1. A Chairman and Vice Chairman shall be elected annually at the fourth regular quarterly meeting to take office at the next quarterly meeting and serve for the ensuing calendar year.
2. Election of other officers occur upon reorganization of the Board which is required each time a new member is sworn and qualified.

A separate election shall be conducted to elect each of the officers: Chairman, Vice Chairman, and Secretary. Procedural guidelines follow:

1. The Chairman declares that nominations are in order;
2. The Chairman recognizes each member for the purpose of making a nomination; recognition of members shall be in the same order as the roll call (alphabetical);
3. Nominations require no second;
4. The proper form for making a nomination is: "Mr. Chairman, I place the name of _____ in nomination, for the

¹ The full text of Kentucky Revised Statute 61.805 to 61.850, commonly called the "Open Meetings" law, is set out as an APPENDIX to these Bylaws.

office of _____."

5. Any member nominated for any office may withdraw his name from consideration. However, a member nominated will not be recognized for that purpose until all members have had an opportunity to make nominations.
6. If after each member has had a roll call opportunity to make a nomination, only one name has been placed in nomination for that particular office, the Chairman shall declare that person elected by unanimous consent; and,
7. If more than one name is placed in nomination for a particular office, a vote shall be taken. Names shall be voted upon in the same order in which the nominations occurred. The nominee first receiving a vote of majority of members present and voting shall be declared elected.

C. Vacancies

If the Office of Chairman becomes vacant for any reason, the Vice Chairman shall assume the Office of Chairman and serve in that capacity for the unexpired term. In that event, or if for any other reason the Office of Vice Chairman becomes vacant, an election to fill that Office for the unexpired term will be held at the next quarterly meeting. In the event both the Chairman and the Vice Chairman are absent, the member of the Executive Committee with the longest period of service on the Board will serve temporarily as Chairman.

D. Meetings

1. Time and Place. Meetings of the Board of Regents and its committees are open to the public unless closed pursuant to the provisions of KRS Chapter 61. Unless otherwise announced, the Board meets in the Regents Conference Room of the first floor of the Wetherby Administration Building on Western's campus. Special meetings are called by the Chairman upon the written request of the President or any two members of the Board, with the stated purpose for the meeting being set forth in the calls.
2. Closed Sessions. No final action will be taken at any closed session of the Board. However, the Board may from time to time conduct closed sessions for the purposes authorized by KRS 61.810; e.g., engaging in:
 - "a. Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.
 - "b. Discussions of proposed or pending litigation against or on behalf of the public agency.
 - "c. Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employe, member or student without restricting that employe's, member's or student's right to a public hearing if requested, provided that this exception is designed to protect the reputation of individual persons and shall not be interpreted to permit discussion of general personnel matters in secret."

In conducting a closed session, discussion of property transactions under (a), or discussions closed for the purpose of protecting the reputation of individual persons under (c), the following requirements shall be met:

- "(1) Notice shall be given in regular open meeting of the general nature of the business to be discussed in closed session and the reason for the closed session;
- "(2) Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;

"(3) No final action may be taken at a closed session;

"(4) No matters may be discussed at a closed session other than those announced prior to convening the closed session."

3. Quorum. A simple majority of the members of the Board (six members) constitutes a quorum for transaction of business.
4. Voting. Each member of the Board casts one vote. Ordinarily, routine Board action is taken by voice vote. However, any member may request and have "yeas" and "nays" on any question. A simple majority of a quorum present and voting is required for any action and is sufficient for most actions of the Board. However, a roll call recordation of "yeas" and "nays" will be taken, and a majority of all members of the Board (six members) must vote affirmatively to effect:
 - a. An appropriation of money;
 - b. Making of a contract that requires an appropriation or disbursement of money; and,
 - c. Employment or dismissal of a teacher. (KRS 164.450)

It is the duty of each member present to cast a vote on each roll call. Failure of a member eligible under law to cast a vote on a question shall be duly recorded. However, in determining the result, that member will be counted as having voted on the side of the question shown by the tally to have received the most votes actually cast.

5. Standing Order of Business
 - a. Call to order (upon Chairman's determination of a quorum present);
 - b. Invocation;
 - c. Oath of office of new members, if applicable;
 - d. Call of roll (alphabetical);
 - e. Reorganization of Board, if required;
 - f. Reading and disposition of minutes;
 - g. Report of the President;
 - h. Consideration of President's recommendations for action;
 - i. Consideration of President's discussion items;
 - j. Presentation of recommendations to the President from the Faculty Senate and the Vice President for Academic Affairs and Dean of the Faculties--the results of studies, conferences, etc., with the Council of Deans, Academic Council, Department Heads, and the President;
 - k. Presentation of personnel changes; and
 - l. Other business (consideration of any items not included on the prepared specific agenda.)

Consistent with the Standing Order of Business, the President in consultation with and subject to the approval of the Chairman, shall develop specific agenda items for each meeting. Insofar as is practicable, the agenda for scheduled regular quarterly meetings and related data, materials, and information should be furnished by the President to members two weeks prior to the scheduled date of the meeting. The President and the Chairman shall include on such agenda any item of business upon written request made by any member seven days prior to the meeting date. If time and circumstances permit, the same shall apply to called meetings.

6. Procedures. A motion is in order on all substantive proposals to:
 - a. Approve or disapprove a proposal;

- b. Postpone consideration (temporarily or indefinitely);
- c. Amend;
- d. Refer to a committee or to the President (with or without instruction); and,
- e. Table.

The Chairman may, with the approval of the Board, designate as Parliamentarian a member of the faculty familiar with and experienced in parliamentary law. General rules of parliamentary procedures are observed at Board of Regents meetings. However, any rule of order may be suspended and official action taken in any manner and in any order agreed upon by an affirmative vote of a majority of the members of the Board or if any are absent by unanimous consent of the members present and voting at a meeting. The Chairman, in making his rulings on parliamentary questions, shall refer to and be guided by Sturgis Rules.

E. Committees

The standing committees of the Board of Regents are:

- 1. The Executive Committee
- 2. The Finance Committee
- 3. The Disciplinary Appeals Committee

The Board may from time to time establish ad hoc committees to facilitate its work.

The Executive Committee. The Executive Committee shall consist of the Chairman and three members elected at the same time as the Chairman to serve a term concurrent with the Chairman.

The Executive Committee provides the President with guidance, opinions, and viewpoints on matters that arise in interim periods between quarterly meetings which the President considers to be of importance but not of sufficient urgency to justify a called special meeting of the full Board.

The Executive Committee may also perform any other function that may be assigned to it from time to time by the full Board.

Committee meetings shall be upon request of the President and/or call of the Chairman.

The Finance Committee. The Finance Committee shall consist of three members of the Board appointed by the Chairman to serve for a term concurrent with the Chairman.

The Finance Committee will familiarize itself with institutional policies and procedures and state agency and legislative requirements for fiscal administration to enable it to initially review and evaluate and advise the full Board in its evaluation of recommendations made by the President to the Board on financial and budget proposals and policies relating to:

- a. The biennial budget request which is submitted to the Council on Public Higher Education in accordance with KRS 164.020.
- b. The annual operating budget of the University for the fiscal period July 1 through June 30.
- c. Adjustments in the annual operating budget resulting from unanticipated increases or decreases in revenue.
- d. The allocation of unencumbered fund balances which accrue to the University at the close of fiscal accounting periods.
- e. Any proposal for the construction of academic, administrative, or service facilities through the issuance of revenue bonds of the

Consolidated Educational Buildings Revenue Fund or the Housing and Dining System Revenue Fund.

- f. Other financial and budget matters which the President or the Board may ask the committee to consider from time to time.

The Disciplinary Appeals Committee. The Disciplinary Appeals Committee is appointed by the Chairman and reviews, on appeal by a student, the record of actions and proceedings of the Faculty Disciplinary Committee.

F. Participation by Non-Members

The President shall attend and participate in all meetings of the Board of Regents unless excused when the President's status is under consideration. He may attend all meetings of committees of the Board. The President, with the approval of the Board members, may invite other members of the University staff or faculty to accompany him in attendance at any meeting. They may address the Board or otherwise participate upon request of the Board, any member, or the President.

Other members of the University community and members of the public are welcome to attend open meetings of the Board but may not address the Board or otherwise participate in the meetings except pursuant to a previously approved request for appearance to be heard.

Except as provided above, persons desiring to be heard by the Board of Regents will first submit to the President in writing the subject matter and the reason for desiring a hearing before the Board of Regents.

The President shall call the request to the attention of the Chairman, who shall determine whether or not the subject matter is relevant and material to Western Kentucky University. The Chairman may, at his discretion, designate an ad hoc committee of the Board to give initial consideration to the matter and make a report to the Board.

G. Amendments

Amendments of these Bylaws may be proposed by any member at any duly constituted meeting of the Board but will not be acted upon until the next meeting. Adoption of amendments shall require a vote of two-thirds (2/3) of the members.

APPENDIX TO BYLAWS

General Provisions as to Offices and Officers

MEETINGS

61.805. Definitions

As used in KRS 61.805 to 61.850, unless the context otherwise requires:

(1) "Meeting" means all gatherings of every kind, regardless of where the meeting is held, and whether regular or special and information or casual gatherings held in anticipation of or in conjunction with a regular or special meeting;

(2) "Public agency" means any state legislative, executive, administrative or advisory board, commission, committee, policy making board of an institution of education or other state agency which is created by or pursuant to statute or executive order (other than judicial or quasi-judicial bodies); any county, city, school district, special purpose district boards, public commissions, councils, offices or other municipal corporation or political subdivision of the state; any committee, ad hoc committee, subcommittee, sub-agency or advisory body of a public agency which is created by or pursuant to statute, executive order, local ordinance or resolution or other legislative act, including but not limited to planning commissions, library or park boards and other boards, commissions and agencies;

(3) "Action taken" means a collective decision, a commitment or promise to make a positive or negative decision, or an actual vote by a majority of the members of the governmental body.

HISTORY: 1974 H 100, § 1, eff. 6-21-74

61.810. Exceptions to open meetings

All meetings of a quorum of the members of any public agency at which any public business is discussed or at which any action is taken by such agency, are declared to be public meetings, open to the public at all times, except for the following:

(1) Deliberations for decisions of the Kentucky parole board.

(2) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.

(3) Discussions of proposed or pending litigation against or on behalf of the public agency.

(4) Grand and petit jury sessions.

(5) Collective bargaining negotiations between public employers and their employes or their representatives.

(6) Discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employe, member or student without restricting that employe's, member's or student's right to a public hearing if requested, provided that this exception is designed to protect the reputation of individual persons and shall not be interpreted to permit discussion of general personnel matters in secret.

(7) Meetings between public agencies and industrial prospects.

(8) State cabinet meetings and executive cabinet meetings.

(9) Committees of the general assembly other than standing committees.

(10) Meetings which federal or state law specifically require to be conducted in privacy.

(11) Meetings which the Constitution provides shall be held in secret.

HISTORY: 1974 H 100, § 2, eff. 6-21-74

61.815. Requirements for conducting closed sessions

Except those public agencies excluded under KRS 61.810(1), (3), (4), (6) but only so far as it relates to students, KRS 61.810(7), (8), (9), (10) and (11), the following requirements shall be met as a condition for conducting closed sessions authorized by KRS 61.810:

(1) Notice shall be given in regular open meeting of the general nature of the business to be discussed in closed session and the reason for the closed session;

(2) Closed sessions may be held only after a motion is made and carried by a majority vote in open, public session;

(3) No final action may be taken at a closed session;

(4) No matters may be discussed at a closed session other than those publicly announced prior to convening the closed session.

HISTORY: 1974 H 100, § 3, eff. 6-21-74

61.820. Schedule of regular meetings to be made available

All meetings of all public agencies of this state and any committees or subcommittees thereof shall be held at specified times and places which are convenient to the public and shall provide for a schedule of regular meetings by ordinance, resolution, bylaws or by whatever other means may be required for the conduct of business of that public agency, and said schedule of regular meetings shall be made available to the public.

HISTORY: 1974 H100, § 4, eff. 6-21-74

61.825. Requirements for holding special meetings

(1) A special meeting may be called at any time by the presiding officer of the public agency or by a majority of the members of the governing body of the public agency by delivering personally or by mail written notice to each member of the public agency and to each local newspaper of general circulation, each news service and each local radio or television station which has on file with the public agency a written request to be notified of special meetings. Said notice of a special meeting must be delivered personally or by mail at least twenty-four (24) hours prior to the time of such meeting as specified in the notice. If time does not permit giving twenty-four hours notice, then notice that is reasonable under existing circumstances and is calculated to inform the public shall be given to the news media and the public.

(2) The notice provided for in subsection (1) of this section is not required in the event that a special meeting is called to deal with an emergency involving injury or damage to personal property or financial loss to a public agency or the likelihood of such injury or damage or financial loss, when the time requirements of such notice of such special meeting would make such notice impractical and increase the likelihood of injury or damage or financial loss.

(3) With the exception of special meetings called pursuant to subsection (2) of this section, no special meeting shall be held except in full compliance with provisions of subsection (1) of this section.

HISTORY: 1974 H 100, § 5, eff. 6-21-74

61.830. Action voidable for noncompliance

Any rule, resolution, regulation, ordinance or other formal action of a public agency without substantial compliance of the requirements of KRS 61.810, 61.815, 61.820 and 61.825 shall be voidable by a court of competent jurisdiction. A certificate by the clerk or secretary of said public agency at said meeting that the requirements of KRS 61.810, 61.815, 61.820

and 61.825 were complied with and shall be prima facie and admissible in any court of competent jurisdiction.

HISTORY: 1974 H 100, § 6, eff. 6-21-74

61.835. Minutes to be recorded; open to public

The minutes of action taken at every meeting of any such public agency, setting forth an accurate record of votes and actions at such meetings, shall be promptly recorded and such records shall be open to public inspection at reasonable times, no later than immediately following the next meeting of the body.

HISTORY: 1974 H 100, § 7, eff. 6-21-74

61.840. Conditions for attendance

No condition other than those required for the maintenance of order shall apply to the attendance of any member of the public at any meeting of a public agency. No person may be required to identify himself in order to attend any such meeting. All agencies shall provide meeting room conditions which insofar as is feasible allow effective public observation of the public meetings. All agencies shall permit news media coverage, including but not limited to recording and broadcasting.

HISTORY: 1974 H 100, § 8, eff. 6-21-74

61.845. Enforcement

The circuit courts of this state shall have jurisdiction to enforce the purposes of KRS 61.810 to 61.840, by injunction or other appropriate order upon application by any citizen of this state.

HISTORY: 1974 H 100, § 9, eff. 6-21-74

61.850. Construction

KRS 61.805 to 61.850 shall not be construed as repealing any of the laws of the Commonwealth relating to meetings but shall be held and construed as ancillary and supplemental thereto.

HISTORY: 1974 H 100, § 11, eff. 6-21-74

61.991. Penalty

Any person who knowingly attends a meeting of any public agency covered by KRS 61.805 to 61.850 of which he is a member, not held in accordance with the provisions of KRS 61.805 to 61.850 shall be punished by a fine of not more than one hundred dollars (\$100.00).

HISTORY: 1974 H 100, § 10, eff. 6-21-74

Mr. Cole's motion for adoption of the Bylaws was seconded by Dr. Buckman; and there being no further discussion, it carried unanimously.

As the first step in the Committee's continuing effort to accomplish the codification of University policy, statutes and regulations, Mr. Cole then moved acceptance of the following document:

GOVERNING STATUTES, RULES AND POLICIES

OF

WESTERN KENTUCKY UNIVERSITY

PART I

INTRODUCTION

This is the first part of intended codification and publication in single-volume, loose-leaf form of the basic law, policies, rules, and regulations that govern the affairs of the University.

Other statements of policies, rules, regulations, authorizations, and procedures pertaining to university organization, appointments, qualifications, promotions, other official relations, students, and their conduct and procedures for discipline, and other university matters heretofore have been approved by the Board and published in the annual operating budget document, various handbooks or manuals, or have been promulgated by administrative directive. They will remain in full force and effect until revision is approved by the Board and are not herein superseded unless there is a direct conflict with this part. Many, if not all, of them are under current study, or are projected for study in the immediate future for recommended revision. Accordingly, recommendations for revision should be developed so that they can be considered by the Board as soon as is feasible for inclusion as a part or parts of a single authoritative publication. Particular attention should be given to separating recommendations as to policy statements to be specifically adopted by the Board and promulgated in statutory form from statements of administrative regulations to be promulgated by the President as provided herein.

In the interim, matters not specifically covered in this part or in such publications previously approved by the Board shall be governed by the minutes of the Board and by administrative interpretation.

NATURE OF

Western Kentucky University is created and established by Statute Laws of Kentucky enacted by the General Assembly of the Commonwealth of Kentucky.¹

PURPOSE

The legislative statement of purpose is found in KRS 164.300 which provides: "The purpose of Western Kentucky University is to give instruction at the college level in residence and through extension study, in academic, vocational and professional subjects and in the science and art of teaching, including professional ethics, to conduct training schools, field service and research, and to render such supplemental services as conducting libraries and museums, dormitories, farms, recreational facilities and offering instruction in such general and cultural subjects as constitute a part of the curricula."

(A proposed revision of an official statement elaborating upon the purpose of the institution is being developed by the University Task Force on Institutional Planning. It will be submitted as a part of the recommendation that will be made by the President upon the submittal of the final report on institutional planning.)

PROGRAMS

Western Kentucky University provides:

1. Baccalaureate programs of instruction;
2. Upon approval of the Council on Public Higher Education, graduate programs of instruction at the masters-degree level in education, business, and the arts and sciences, specialist degrees and programs beyond the masters-degree level to meet the requirements for teachers, school leaders and other certified personnel;

¹ The text of applicable provisions of the Kentucky Revised Statutes is reproduced as APPENDIX I.

3. Research and service programs directly related to the needs of the primary geographical area; and
4. Programs of a community college nature in this communitiy.
(KRS 164.296)

The Board of Regents is authorized to maintain a model and practice school under the supervision of thoroughly trained teachers for the purpose of giving observation and practice work to the student teachers.

PART II

GOVERNMENT OF WESTERN KENTUCKY UNIVERSITY

Statute laws of Kentucky vest the government of Western Kentucky University in the Board of Regents (KRS 164.310, 164.320, 164.350, and 164.365). The Board of Regents is the final authority in all matters affecting the institution, and it exercises authority over the institution's financial, personnel, educational, and other policies within limits established by applicable Federal and State constitutions and laws.²

These governing rules and regulations of Western Kentucky University state the composition, powers and duties of the Board of Regents of Western Kentucky University, and establish overall policies, procedures, and guidelines for the performance of the Board's functions.

The Board meets on a regular quarterly schedule basis.

BOARD OF REGENTS

A. General

1. The Board of Regents of Western Kentucky University is a body corporate, with the usual corporate powers and possesses all immunities, rights, privileges, and franchises usually attached to the governing bodies of educational institutions. It may:
 - a. Receive grants of money and expend it for the use and benefit of the institution;
 - b. Adopt bylaws, rules, and regulations for the government of its members, officers, agents, and employees, and enforce obedience to such rules;
 - c. Require such reports from the President, officers, faculty, and employees as it deems necessary and proper from time to time; and,
 - d. Determine the number of divisions, departments, bureaus, offices, and agencies needed for the operation of the university; and,
 - e. Grant diplomas and confer degrees upon the recommendation of the President and faculty (KRS 164.350).
2. The Board meets on a regular quarterly schedule and as called.
3. No regent, president, professor, teacher, or other officer or employee shall be interested in any contract or purchase for the building or repair of any structure or furnishing any supplies for the use of a university or college. This prohibition does not apply to the contract of employment of the faculty regent or to scholarship awards to the student regent (KRS 164.390).

²The General Assembly has conferred certain powers, duties, and responsibilities that relate to the government of Western Kentucky University upon the Council on Public Higher Education. SEE APPENDIX II for the text of KRS 164.010. It contains these provisions.

4. All necessary expenditures made by a regent in going to and from meetings of the Board are to be paid out of University funds (KRS 164.330).

B. Personnel

General statutes governing state civil service personnel are not applicable to Western Kentucky University. Instead, the authority to establish policies governing appointments, qualifications, salaries and compensation, promotions, and official relations of all employees of the institution is vested within the Board of Regents to the exclusion of other agencies of state government. (KRS 164.365)

C. Property

The Board of Regents is authorized to acquire, improve, and sell property of any description as it deems necessary and in the best interest of the institution (KRS 164.410).

D. Student Conduct

The Board makes rules governing the conduct and the behavior of students, and procedures for discipline.

E. Membership

The Board of Regents consists of eight members appointed by the Governor, one member of the teaching faculty, and one member of the student body. Appointed members serve terms of four years and until their successors are appointed and qualified. No more than two members may be appointed who are residents of one county. No more than four appointed members shall belong to the same political party.

The faculty member must be a teaching or research member of the faculty holding the rank of assistant professor or above and is elected by secret ballot by faculty members of the rank of assistant professor or above. This member serves for a term of three years and until a successor is elected and qualified. A faculty member is eligible for reelection but cannot continue to serve if he ceases being a member of the teaching staff of the University. Election to fill vacancies in the faculty regents' position shall be for an unexpired term and shall be conducted in the same manner as provided for in original elections.

The President is hereby delegated the authority to approve procedures for conduct of such election in accordance with the provisions of KRS 164.320. The President may assign to the Faculty Senate or any of its committees responsibility for the development of specific procedures.

The student member is President of Associated Student Government elected in accordance with established and approved procedures as set forth in Associated Student Government constitution. If the President of Associated Student Government is not a full-time student who maintains permanent residency in the Commonwealth of Kentucky, a special election must be held in the same manner to select a full-time student who does maintain permanent residency in Kentucky (KRS 164.320).

PRESIDENT

The President is the chief executive and educational official of the University and shall have full authority and responsibility over the administration of the academic, business, and fiscal operations of the University. Although special meetings are called when the affairs of the University require, the Board recognizes that its governing policies must be interpreted and applied to particular situations as they develop. Necessarily, situations will develop that are not specifically provided for in the Board's Governing Rules.

Accordingly, the President is authorized, as the chief executive and educational officer of the University, to direct the day-to-day affairs of the

institution, to make interim interpretations and applications of existing policies and rules and regulations. To assure effective action in situations not provided for expressly by the Board, the President may establish such consistent interim administrative or educational policies as deemed to be necessary and in the best interest of the University. The Board of Regents delegates this authority to the President in order to provide for the responsible and efficient administration of the University and the accomplishment of its goals. The President is authorized by the Board of Regents to promulgate administrative regulations to implement the governing rules and other actions of the Board of Regents as reflected in its minutes and shall state institutional policies within the scope of the delegated executive authority. A copy of each such regulation shall be furnished to each member of the Board, and all such administrative regulations are subject to such action as may be taken by the Board in exercise of its final authority. They shall be deemed to be ratified by the Board in the absence of contrary action by the Board at its meeting next held after promulgation.

The President makes recommendations for personnel actions. It is also the President's duty to make recommendations relating to the organizational structure of the University, the general policies of the institution, and to coordinate its several functions. It is also the President's duty, directly or through the various University officers, to supervise and administer all phases of the University's operations, both business and academic; and including all departments, divisions, and colleges; and to perform all other administrative functions, whether expressly described herein or not, necessary or appropriate for the effective operation of the University.

The President is authorized and directed to prepare the proposed biennial budget request and the proposed annual operating budget for consideration by the Board. After the annual operating budget is approved by the Board, the President is authorized to enter into such binding transactions as are necessary and proper to the administration of the approved annual operating budget, including, but not limited to, those relating to receipts, disbursements, expenditures, purchases, accounting, and auditing. Exercise of this authority shall follow practices and procedures that conform to and comply with any guidelines established, from time to time, by the Board, the requirements and authorizations contained in applicable state statutes and administrative rules, regulations, instructions, or orders of the Governor, Council on Public Higher Education, and/or the Executive Department for Finance and Administration, as the case may be. See particularly KRS Chapters:

- 42 (Executive Department for Finance and Administration)
- 44 (Claims Upon the Treasury)
- 45 (Budget and Financial Administration)
- 47 (Appropriations)
- 56 (State Lands and Buildings)
- 57 (Public Printing and Distribution of Public Documents)
- 58 (Acquisition and Development of Public Projects Through Revenue Bonds)

The President may delegate any of his assigned authority or responsibility to the vice presidents, another person in the office of the President, or to any other member of the administrative staff or faculty of the University. He shall, however, have the prior consent of the Board of Regents before delegating major areas of authority or responsibility.

The vice presidents, deans, directors, and all other subordinate administrative officers shall be subject to the supervision and direction of the President.

Subject to the regulations of the Board of Regents, the President is the official spokesman for the University before all federal, state, and local government offices, boards, and agencies. He is a nonvoting member of the Council on Public Higher Education.

The President is responsible for fostering and promoting instruction and also research and service directly related to the primary geographical area as the primary aims of the University. In this connection, the President shall from time to time make policy recommendations to the Board.

The President shall serve as the medium of official communication between the Board of Regents on the one hand, the Academic Council, the

administrative officers, individual members of the faculty and staff, student organizations, students, and the Faculty Senate on the other. In this connection, it shall be the President's responsibility to transmit to the Board all formal communications from the Academic Council and the Associated Student Government or the Faculty Senate, along with the viewpoints of the body submitting a communication, including minority opinions, if any, and the President's own recommendations for action.

Incident to the administration of the University, the President may exercise discretion in the utilization of subordinate administrative officers; and may establish, with the approval of the Board, administrative councils; and may appoint or have appointed such temporary or standing advisory or administrative committees as deemed necessary and desirable.

Policy recommendations on matters designated as within the advisory purview of the Academic Council or the Faculty Senate shall be submitted after consideration by the President of the reasoned advice and recommendations of those bodies.

APPENDIX I

INSTITUTIONS OF HIGHER LEARNING

164.288. Power of state universities and colleges to accept federal aid.

Any of the state colleges or universities or the University of Kentucky or the state on behalf of any of the colleges or the universities may accept federal aid in the form of services, equipment, supplies, materials or funds by way of gift, grant or loan for the purpose of higher education including student loans. Any of the state colleges or the universities acting through its president or its governing board is hereby authorized to receive such services, equipment, supplies, materials and funds as are now available or may be made available. The colleges and the universities are hereby authorized to use funds appropriated to them in the 1959-1960 fiscal year in carrying out the matching provisions required by federal programs, loans or grants. (Enact. Acts 1960, ch. 136, § 1; 1972, ch 203, § 31.)

164.289. Faculty member's power to vote.

Notwithstanding any other provision of KRS chapter 164, the faculty member of any governing board of any institution of higher education supported in whole or in part by state funds, whether or not described as non-voting, shall have the right to vote on all matters except that of faculty compensation. (Enact. Acts 1972, ch. 196, § 6.)

STATE COLLEGES AND UNIVERSITIES

164.290. State universities recognized - Names.

(1) The state colleges formerly designated as Eastern Kentucky State College, Morehead State College, Murray State College, Western Kentucky State College, and Kentucky State College may be known and recognized as Eastern Kentucky University, Morehead State University, Murray State University, Western Kentucky University, and Kentucky State University.

(2) Kentucky State University located at Frankfort, Kentucky, is a land-grant state institution and, as such, all the provisions of KRS Chapter 164, with the exception of the provisions of KRS 164.320 concerning the appointment of the initial board of regents, applying to the other four (4) regional universities shall likewise apply to Kentucky State University. (4527-37; amend. Acts 1948, ch 11, § 1; 1952, ch. 41, § 8; 1966, ch. 6, § 4; 1972, ch. 39, § 4.)

164.293. Northern Kentucky State College recognized - Laws applicable.

(1) There is hereby recognized as established and maintained a state college in this commonwealth to be designated and known as Northern Kentucky State College, the location of which shall be determined by the council on public higher education on the advice of a group of twelve (12) persons from the northern section of the state, to be appointed by the governor, not more than six (6) of whom shall belong to the same political party.

(2) All the provisions of KRS chapter 164, applying to the state universities shall apply to Northern Kentucky State College. (Enact. Acts 1968, ch. 37, § 1; 1970, ch. 18, § 1; 1970, ch. 92, § 30; 1972, ch. 203, § 32; 1974, ch. 25, § 1.)

164.295. Programs of state universities. The five (5) state universities shall provide:

(1) Baccalaureate programs of instruction;

(2) Upon approval of the council on public higher education, graduate programs of instruction at the masters-degree level in education, business, and the arts and sciences, specialist degrees and programs beyond the masters-degree level to meet the requirements for teachers, school leaders and other certified personnel;

(3) Research and service programs directly related to the needs of their primary geographical areas;

(4) And, may provide programs of a community college nature in their own community comparable to those listed for the University of Kentucky community college system, as provided by this chapter. (Enact. Acts 1966, ch. 6, § 5; 1972, ch. 39 § 5.)

164.300. Purpose of state universities and colleges.

The purpose of the state universities and colleges is to give instruction at the college level, in residence and through extension study, in academic, vocational and professional subjects and in the science and art of teaching, including professional ethics, to conduct training schools, field service and research, and to render such supplemental services as conducting libraries and museums, dormitories, farms, recreational facilities and offering instruction in such general and cultural subjects as constitute a part of their curricula. (4527-38.)

164.305. Agriculture and mechanic arts departments at Kentucky State College - Federal fund. (Renumbered KRS 164.355.)

164.310. Boards of regents created.

There shall be a board of regents for each of the state colleges, to be known as the board of regents of the _____ State University (or College). (4527-39: amend. Acts 1948, ch. 11, § 2.)

164.320. Members of board of regents - Appointment - Term - Vacancies - Oath.

(1) The board of regents for Eastern Kentucky University, Morehead State University, Murray State University, Western Kentucky University, Kentucky State University and Northern Kentucky State College shall each consist of eight (8) members appointed by the governor, one (1) nonvoting member of the teaching faculty, and one (1) member of the student body of the respective university or college. The voting members of the board shall select a chairman annually.

(2) The terms of appointed members shall be for four (4) years, and until their successors are appointed and qualified. Such appointments shall be made by the governor within thirty (30) days after the expiration of the term of each member. If the governor should fail to make any such appointment within thirty (30) days after the expiration of the term of any member, the remaining members of the board of regents of the particular university or college whose terms shall not have expired, shall make such appointment within sixty (60) days after the expiration of such term.

(3) Not more than two (2) appointed members of any board shall be residents of one (1) county; nor more than four (4) of the appointed members of any board shall belong to the same political party. Membership on the board shall not be incompatible with any other state office.

(4) Appointments to fill vacancies shall be made in the same manner and within the same time after the occurrence of the vacancy as regular appointments. The person appointed shall hold the position for the unexpired term only.

(5) Each appointed member of the board shall, at the first meeting following his appointment, take an oath to faithfully discharge his duties.

(6) Each member of the board shall serve for the term for which he is appointed and until his successor is appointed and qualified.

(7) The nonvoting faculty member shall be a teaching or research member of the faculty of his respective university or college of the rank of assistant professor or above. He shall be elected by secret ballot by all faculty members of his university or college of the rank of assistant professor or above. The faculty member shall serve for a term of three (3) years and until his successor is elected and qualified. The faculty member shall be eligible for re-election, but he shall not be eligible to continue to serve as a member of such board if he ceases being a member of the teaching staff of the university or college. Elections to fill vacancies shall be for the unexpired term in the same manner as provided for original election.

(8) The student member shall be the president of the student body of the university or college on whose board of regents he is to serve. If the president of the student body is not a full-time student who maintains permanent residency in the Commonwealth of Kentucky, a special election shall be held to select a full-time student who does maintain permanent residency

in this commonwealth as the student member. (4527-40 to 4527-42: amend. Acts 1952, ch. 41, § 10; 1956 (1st Ex. Sess.), ch. 7, Art. XIV, § 1; 1968, ch. 37, § 1; 1968 ch. 99, § 2; 1970, ch. 18, § 2; 1970, ch. 150, 1972, ch. 196, § 2; 1972, ch. 203, § 33.)

164.325. KRS 63.080(2) applicable to board of regents.

KRS 63.080(2) hereby is expressly made applicable to members of the board of regents of each of said universities or colleges. (Enact. Acts 1956 (1st Ex. Sess.), ch. 7, Art. XIV, § 2.)

164.330. Organization and officers of board of regents - Expenses.

Each board of regents shall hold its first meeting within thirty (30) days after each appointment of new members. The place of meeting shall be designated by the superintendent of public instruction. At this meeting there shall be elected a vice-chairman and a secretary for the board. Each board shall appoint a treasurer, and such officers as it deems necessary but no member of any of the boards shall be appointed treasurer. No member of any board shall draw any salary for his services, but shall be reimbursed for necessary expenditures made in going to and from each meeting of the board and for other legitimate expenses. The expenses shall be paid out of the funds of the university or college. (4527-42)

164.335. Members of general assembly not to serve on governing boards of institutions of higher learning.

In addition to the qualifications provided in KRS 164.130 for members of the board of trustees of the University of Kentucky, in KRS 164.820 for members of the board of trustees of the University of Louisville, and in KRS 164.320 for members of the board of regents of other Kentucky universities and state colleges, no person who is a member of either house of the Kentucky general assembly shall serve as a member of the board of trustees or board of regents of any state-supported college or university. (Enact. Acts 1972, ch. 5, § 1.)

164.340. Meetings of boards - Quorum.

Each board of regents shall meet quarterly at the university or college or at such other place as is agreed upon. Upon written request of the president of the university or college or of two (2) members of the board, the chairman of the board shall call a special meeting at a place designated by him, and the board may at such special meeting transact any or all business that it may transact at a regular meeting. A majority of the members of the board shall constitute a quorum for the transaction of business, but no appropriation of money nor any contract that requires an appropriation or disbursement of money shall be made, and no teacher employed or dismissed, unless a majority of all the members of the board vote for it. (4527-43.)

164.350. General powers of boards of regents.

The government of each of the state universities and colleges is vested in its respective board of regents. Each board of regents, when its members have been appointed and qualified, shall constitute a body corporate, with the usual corporate powers, and with all immunities, rights, privileges and franchises usually attaching to the governing bodies of educational institutions. Each board may:

- (1) Receive grants of money and expend the same for the use and benefit of the university or college;
- (2) Adopt bylaws, rules and regulations for the government of its members, officers, agents and employes, and enforce obedience to such rules;
- (3) Require such reports from the president, officers, faculty and employes as it deems necessary and proper from time to time;
- (4) Determine the number of divisions, departments, bureaus, offices and agencies needed for the successful conduct of the affairs of the university or college; and
- (5) Grant diplomas and confer degrees upon the recommendation of

the president and faculty. (4527-44.)

164.355. Agriculture and mechanic arts departments at Kentucky State College - Federal Fund.

The Kentucky State College shall maintain a department of agriculture and the mechanic arts, and for that purpose is entitled to receive and shall receive an equitable portion of the money appropriated to the state by an act of congress approved August 30, 1890. (Enact. Acts 1952, ch. 41, § 9.)

164.360. Appointment and removal of president, faculty and employes.

(1) Each board of regents may appoint a president, and on the recommendation of the president may, in its discretion, appoint all faculty members and employes and fix their compensation and tenure of service, subject to the provisions of subsection (2) of this section.

(2) No person shall be employed for a longer period than four (4) years. No person shall be employed who is related to any member of the board of regents as father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, sister-in-law, brother-in-law, son-in-law or daughter-in-law, except that upon written recommendation of the president of the university or college, one (1) such relative of each member of the board of regents may be appointed upon confirmation by the other three (3) appointed members.

(3) Each board may remove the president of the university or college, and upon the recommendation of the president may remove any faculty member or employe, but no president or faculty member shall be removed except for incompetency, neglect of or refusal to perform his duty, or for immoral conduct. A president or faculty member shall not be removed until after ten (10) days' notice in writing, stating the nature of the charges preferred, and after an opportunity has been given him to make defense before the board by counsel or otherwise and to introduce testimony which shall be heard and determined by the board. Charges against a president shall be preferred by the chairman of the board upon written information furnished to him, and charges against a faculty member shall be preferred in writing by the president unless the offense is committed in his presence. (4527-44, 4527-46: amend. Acts 1974, ch. 386, § 32.)

164.365. Governing boards of institutions to have exclusive control of employment, tenure and official relations of employes.

Anything in any statute of the commonwealth to the contrary notwithstanding, the power over and control of appointments, qualifications, salaries and compensation payable out of the state treasury or otherwise, promotions, and official relations of all employes of Eastern Kentucky State University, Western Kentucky State University, Murray State University, and Morehead State University, as provided in KRS 164.350 and 164.360, and of Kentucky State College, shall be under the exclusive jurisdiction of the respective governing boards of each of the institutions named. (Enact. Acts 1952, ch. 28, § 2.)

164.370. Suspension or expulsion of students.

Each board of regents may invest the faculty or a committee of the faculty with the power to suspend or expel any student for disobedience to its rules, or for any other contumacy, insubordination or immoral conduct. In every case of suspension or expulsion of a student the person suspended or expelled may appeal to the board of regents. The board of regents shall prescribe the manner and the mode of procedure on appeal. The decision of the board of regents shall be final. (4527-44, 4527-47.)

164.380. Practice schools.

The board of regents of each of the state universities or colleges may maintain, in connection with the college, a model and practice school under the supervision of thoroughly trained teachers for the purpose of giving observation and practice work to the student teachers. (4527-50)

164.390. Interest in contracts prohibited.

No president, professor, teacher, regent, member of the executive

council or other officer or employe shall be interested in any contract or purchase for the building or repairing of any structure or furnishing any supplies for the use of a university or college. (4527-48.)

164.400. Incidental expenses - Fees.

The respective boards of regents of the state universities and colleges shall establish such incidental fees and nonresident tuition fees as will be sufficient for the purpose of paying the incidental expenses of the university or college and as are consistent with the recommendations of the council on public higher education. No money derived from nonresident tuition or other fees paid by students shall be used for any other purpose, except such amount as is over and above that needed to defray the incidental expenses. (4527-49.)

164.410. Acquisition and sale of property.

Each board of regents may, on such terms as it regards best for the university or college, purchase or lease land for the purpose of securing the erection of buildings, and may receive by any legal mode of conveyance, purchase and hold property of any description that the board deems necessary for the purposes of the school, and may build and construct improvements for such purposes and hold or sell the same. If a board of regents is unable to agree with the owner of such real estate as to its value, or to its purchase, it may proceed in its own name to condemn such real estate in the manner provided in KRS 416.010 to 416.080. Real estate acquired by purchase or condemnation shall be paid for out of money appropriated to the university or college. Each board of regents may, when it regards it best for the school, sell and convey any real estate, buildings or equipment owned by it, but the proceeds arising from the sale must be reinvested in other real estate, buildings and equipment for the use of the university or college. (4527-44, 4527-51.)

164.420. Treasurer - Duties of.

The treasurer of each board of regents shall receive and disburse all money under the control of the board, perform all acts that pertain to his office under the direction of the board, and make a report of the same to the board at its quarterly meeting. In August each year the treasurer shall make and furnish to the board of regents, to be by it transmitted to the superintendent of public instruction, an abstract containing full accounts of all money received and disbursed by the school during the preceding year, stating from what source received and on what account paid out, and the amount paid to each professor, teacher or official of the school. (4527-56.)

164.430. Bond of treasurer. (Repealed.)

164.440. Depository - Bond and duties of.

Each board of regents shall appoint a bank or trust company to serve as its depository. The depository shall, before entering upon its duties, execute a bond for the faithful performance of the duties of the office, to be approved by the board. The bond shall be guaranteed by at least five (5) solvent personal sureties whose solvency exceeds the amount of the bond, or by a surety company authorized to do business in this state, or through the execution of a collateral bond consistent with the general banking laws of this state and the bonding laws applying to the safeguarding of state funds. The depository shall be designated for a period of one (1) year or a part thereof, and before entering upon its duties shall agree with the board of regents as to the amount of interest to be paid on average daily or average monthly balances. The interest shall not be less than two per cent (2%) if the board pays the premium on the depository bond. The penal sum of the depository bond shall be determined by the board of regents and shall as nearly as possible cover the maximum amount of money that the board might have on hand in the depository at any one (1) time. The depository shall hold for the board, subject to its withdrawal at any time, all funds deposited by the treasurer or any agent of the board, and shall pay over to such person and in such manner as the board directs all funds so deposited. The depository shall keep full and complete accounts of all the board's funds, make such reports to the board or its authorized agents as the board directs, and keep and turn over to the successor of its office all records relating to its transactions and duties together with all public funds on hand. (4527-55.)

164.450. Secretary - Duties and compensation.

The secretary of each board of regents shall keep and prepare all records,

books and papers belonging to the board. He shall keep a journal of the proceedings of the board in which, if requested by any member of the board, the "yeas" and "nays" on all questions shall be entered. He shall prepare, under the direction of the board, all reports and estimates, and shall execute all matters belonging to his office. His compensation shall be fixed by the board. (4527-52.)

164.460. Report of president.

The president of each university or college shall make to his board of regents written reports in duplicate during August each year. The reports shall contain a full account of receipts of money from all sources, amount and purpose of disbursements thereof, and the condition of the university or college. (4527-53.)

164.470. Funds to be used as specified.

All appropriations, grants, gifts, bequests and donations to a university or college for a specified use shall be applied to such use and no other. (4527-57.)

APPENDIX II

COUNCIL ON PUBLIC HIGHER EDUCATION

164.010. Council on public higher education - Membership, terms.

There shall be a council on public higher education in Kentucky, to be composed of the superintendent of public instruction, ten (10) lay members appointed by the governor, and the president or chief executive officer of each four-year state institution of higher education in the state. The superintendent of public instruction and ten (10) lay members shall constitute the voting membership of the council. The lay members shall be appointed for regular terms of four (4) years, with the initial appointment of two (2) members for one (1) year, two (2) members for two (2) years, two (2) members for three (3) years and four (4) members for four (4) years. Any person other than the superintendent of public instruction, holding either an elective or appointive state office or who is a member of the governing board of any state or private college or university in Kentucky shall be ineligible for membership or appointment on the council during his membership or term of office. When the council meets to consider curricula for teacher education, three (3) persons who are from accredited institutions of higher learning, and who have been appointed by the executive committee of the Kentucky association of colleges, secondary and elementary schools, shall be invited to meet with the council in an advisory capacity. (4527-1 to 4527-3: amend. Acts 1952, ch. 41, § 5; 1962, ch. 129, § 1; 1966, ch. 6, § 1; 1972, ch. 39, § 1.)

164.020. Powers and duties of council.

The council on public higher education in Kentucky shall:

- (1) Engage in analyses and research to determine the over-all needs of higher education in the commonwealth.
- (2) Develop and transmit to the governor comprehensive plans for public higher education which meet the needs of the commonwealth. The plans so developed shall conform to the respective functions and duties of the state colleges and universities, the community colleges, and the University of Kentucky as provided by statute. The council shall for all purposes of federal legislation relating to planning be considered the "single state agency" as that term may be used in such federal legislation; Provided, however, That when such federal legislation requires representation on any such "single state agency" by private or nonstate institutions of higher education in the state, the commission on higher education, or its successor agency, shall be considered the "single state agency" as that term may be used in such federal legislation.
- (3) Determine the amount of entrance and/or registration fees and approve the qualifications for admission to the public institutions of higher education. In determining the entrance and/or registration fees for non-Kentucky residents, the council shall consider the fees required of Kentucky students by institutions in adjoining states, the resident fees charged by other states, the total actual per student cost of training in the institutions for which the fees are being determined, and the ratios of Kentucky students to non-Kentucky students comprising the enrollments of the respective institutions, and such other factors as the council may in its sole discretion deem pertinent.
- (4) Consider the requirements and review the budget requests, which shall be prepared in the manner and submitted by the institutions to the council by dates prescribed by the council, of the institutions of public higher education as to their appropriate level of support considering the functions of the institutions and their respective needs. The individual institutions' budget requests, including tuition and registration fee schedules for all categories of students, along with council recommendations which shall be submitted to the governor through the department of finance not later than November 15 of each odd numbered year.
- (5) Review and approve all capital construction projects the cost of which exceeds one hundred thousand dollars (\$100,000) approved by the governing boards of the state-supported institutions of higher education prior to the institutions' submission of such projects to the department of finance and/or state property and buildings commission.
- (6) Require reports from the executive officer of each institution it deems necessary for the effectual performance of its duties.

(7) Publish annually a report of the educational and financial affairs of the institutions and disseminate other information relating to higher education.

(8) Approve all graduate degree programs including all schools and degree programs for which professional, regional and/or national accreditation of the school or program is available and/or licensing or certification of the graduate are required. Review proposals and make recommendations to the governor regarding the establishment of new state-supported community colleges and new four-year colleges. Provided, nothing in KRS 164.010, 164.020, 164.125, and 164.290 to 164.295 shall be construed to grant the council on public higher education authority to disestablish or eliminate any college of law which became a part of the state system of higher education through merger with a state college.

(9) Prescribe the curricula for teacher education.

(10) Elect a chairman annually from the voting membership and appoint an executive director and such staff as may be needed and fix their compensation without limitation of the provisions of KRS chapter 18 and KRS 64.640 subject to the approval of the commissioner of personnel and the commissioner of finance.

(11) Constitute the representative agency of the commonwealth in all matters of higher education of a general and statewide nature which are not otherwise delegated to one or more institutions of higher learning. Such responsibility may be exercised through appropriate contractual relationships with individuals or agencies located within or without the commonwealth. The authority includes but is not limited to contractual arrangements for programs of research, specialized training, and cultural enrichment. (4527-1, 4527-3: amend. Acts 1956, ch. 163, § 1; 1966, ch. 6, § 2; 1968, ch. 152, § 118; 1972, ch. 39, § 2.)

Mr. Cole's motion for acceptance of the foregoing report was seconded by Mr. Ramsey; and there being no further discussion, it carried unanimously.

Preliminary to the presentation of recommended procedures for the selection and staging of student concerts, Mr. Cole, Chairman of the special committee--the other members being Mr. Henry and Vice President Minton--called upon Mr. Henry for background information which brought about the naming of the committee in December, 1975. Succinctly summarizing, Mr. Henry explained that Associated Student Government had no avenue in which to appeal a decision of the Office of Student Affairs under whose authority the selection of concerts is vested and stated that an appeals procedure had been requested by him on behalf of ASG. The following guidelines, which were the culmination of several meetings of the committee, were then recommended by Mr. Cole:

PROCEDURAL GUIDELINES FOR SELECTION OF CONCERTS

The President is authorized to delegate to the Office of Student Affairs, under the general supervision of the Vice President for Administrative Affairs, full authority to make final institutional decisions as to whether or not to book or contract a particular entertainment performance recommended by Associated Student Government upon making one or more of the following determinations:

1. That campus facilities suitable and adequate for the purpose are not available on the desired date.
2. That previously made commitments for personnel in the Office of Student Affairs, and the departments of Public Safety and Physical Plant and Facilities Management on the desired date, or during the period immediately preceding or immediately following that date, are such that staffing required for the proper supervision, traffic control and safety, incident to the recommended event, would impose

an undue burden on available personnel.

3. That the estimated cost-benefit prospects of a particular recommended event create a business risk that funds allotted by the Board to the Office of Student Affairs for the purpose of providing a year-long schedule of such programs would be depleted in an amount that would impair the ability of the University to offer the student body a full program schedule.
4. That the performer(s) recommended have a previous history of nonperformance or cancellation of similar contracts (not showing) after ticket sales have commenced.
5. That the contract terms demand that the University provide at its expense extraordinary equipment, accommodations, or personal services for the performers.
6. The performance, under the terms and conditions proposed and other surrounding circumstances, would tend to create a clear and unreasonable risk of danger or hazardous conditions to the audience, either from incitement of the audience or a part of it to uncontrollable action or conduct, or from the staging arrangements of sound or lighting or other special effects equipment.

In the event the Office of Student Affairs declines to book a concert and if it does so for the reasons set forth in either paragraphs 1, 2, 3 or 5, as above stated, then the Office of Student Affairs in refusing to book the concert shall simply state that the concert is declined for the reasons set forth in either paragraph 1, 2, 3, or 5, as applicable. In the event the Office of Student Affairs declines to book a concert for any of the reasons set forth in paragraphs 4 or 6, then the reason stated by the Office of Student Affairs for declining to book the concert shall be that the concert is not appropriate or in the best interest of the University community. In the event of appeal for a denial based on paragraphs 4 or 6, the Office of Student Affairs should disclose to the reviewing committee the facts on which the denial is based.

The President may delegate to the Vice President for Administrative Affairs full authority, after consideration of the advice and recommendation of the committee provided below, to make final institutional decisions in any situation in which the Office of Student Affairs decides not to book a recommended event on the basis of its information and belief.

Associated Student Government may, by written request, secure the Vice President for Administrative Affairs' review of such a decision by the Office of Student Affairs. The request for the review shall include a statement of the cultural and/or educational contribution to the University expected from the recommended event and any other reason why Associated Student Government believes that the initial decision is erroneous.

Prior to reviewing the decision and making the final institutional decision, the Vice President for Administrative Affairs shall seek the advice of and consult with a committee consisting of two students and three faculty members to be appointed by the President. The Vice President will consider but is not bound by the advice and recommendation of the committee. Student members appointed by the President shall not be officers of Associated Student Government who are involved in planning or arranging such concerts.

Mr. Cole's motion for adoption of the procedural guidelines for the selection of concerts was seconded by Mr. Ramsey; and after further discussion, the motion carried unanimously.

The Board heard a report from the Faculty Senate Ad Hoc Committee appointed by Chairman Edds on February 28, 1976, to study the plan recommended by the President, as submitted by his Committee on Faculty Participation, for the establishment of an Advisory Faculty Senate as a part of the official organizational structure of Western. The following excerpts are taken from the report of the ad hoc committee composed of Dr. Buckman, Chairman; Mr. Cole, Dr. Embry, Dr. James L. Davis, and Dr. Delbert Hayden (the latter two members having served as Cochairmen of the President's Committee on Faculty Participation):

"The Faculty Senate Ad Hoc Committee of the Board recommends that the Faculty Senate Constitution recommended by President Downing be approved. The Committee is also presenting Recommended Rules and Procedures for the First Election of the Members of the Faculty Senate to enable establishment of the Faculty Senate at the beginning of the fall semester, 1976.

"The Faculty Senate is advisory in nature. It makes recommendations to the Board through the President. ----- If the President presents a recommendation to the Board that is contrary to the expressed views of the Faculty Senate, we request that a report expressing the Faculty Senate's views be attached to the President's recommendation. In the event that the President delays matters that the Faculty Senate feel are important and need to be expedited, they may express their views to the Board through the Faculty Regent. Our Committee thinks that only under extreme circumstances should the Faculty Senate present its views to the Board through the Faculty Regent.

"The definition of Faculty and membership on the Faculty Senate was discussed. We believe that one of the first items of business for the Faculty Senate may be to consider the definition of Faculty and the eligibility for membership.

"Our Committee wishes to express its appreciation to the President's Ad Hoc Committee that drafted the Faculty Senate Constitution. Although many issues are debatable, it is obvious that the Committee discussed the major issues and presented a commendable document. Our Committee thinks that sufficient thought has been given to the Faculty Senate and that it should be implemented."

Dr. Buckman then moved acceptance of the committee's report and adoption of the Faculty Senate Constitution, with the latter being included as Part 3 of the Board's Governing Statutes, Rules and Policies. The motion was seconded by Mr. Cole. The documents as presented follow:

FACULTY SENATE CONSTITUTION
WESTERN KENTUCKY UNIVERSITY

Preamble

The Faculty Senate at Western Kentucky University is an elected body of representatives from the faculty whose functions are to provide a forum for the concerns and interests of the university-wide faculty community, to furnish advice and recommendations with reference to policies that pertain to the faculty and to make available to the University the expertise of the faculty on appropriate matters.

I. Functions of the Faculty Senate

The Faculty Senate functions as an official representative voice of the faculty on any university policies which the President may refer to it for consideration and opinion, or which it determines should be brought to the attention of the President, or to the Board of Regents through the President.

It makes recommendations to the Academic Council on academic policies and programs.

It may, upon request, or upon its own initiative furnish advice and recommendations on policies and procedures, such as those relating to:

- a. Criteria for recruitments, appointments, reappointments, promotions, granting of tenure, evaluation of work effectiveness, and recognition of outstanding faculty performance in instruction, research, creative activity and service.
- b. Salary, workload, working conditions, summer teaching employment, patent policy, copyright policy, awarding of university research grants, and recognition and publication of scholarly or creative work.
- c. Retirement programs, insurance plans, sick leave, and other business issues which concern the faculty.
- d. Planning and maintenance of physical facilities when these may affect the attainment of the educational objectives of the university.
- e. Faculty responsibilities, privileges, grievances, sabbatical leaves, leaves of absence, travel expenses for professional conventions and programs, off-campus instruction and service, consulting, and academic freedom.
- f. Long range planning of institutional goals and priorities as related to the function of the Senate.

The Faculty Senate may advise the Board of Regents, in the event of a vacancy or an announced impending vacancy of the Office of President, on qualifications for the Office of President and the policies concerning faculty involvement in the filling of the office.

II. Coordination of the Academic Council and the Faculty Senate

Each body is dominant in its stated functions and it is the duty of each to report its recommendations to the President and to the Board of Regents through the President.

III. Organization

A. Composition

1. The term faculty for the purposes herein is defined as persons in the full-time employ of the university who hold faculty rank and who satisfy at least three-fourths of their contractual obligation in teaching, research, public service, and/or other non-administrative assignments.

The term college as used herein is defined as the undergraduate colleges and the area of Academic Services.

2. The Faculty Senate shall be composed of members elected by and from the faculty, with the Vice-President for Academic Affairs or a designated alternate serving as an ex-officio non-voting member. The Faculty Regent, unless already an elected member of the Senate, shall be an ex-officio non-voting member of the Senate.

3. Each department is entitled to one senator who shall be elected by secret ballot by the faculty of that department; each college may also be entitled to at-large senators. The total number of senators (departmental senators plus at-large senators) to which each college is entitled is that number which will make up a delegation equal to 10 percent (rounded to the nearest whole number) of the college's total faculty as previously defined. The at-large representation of each college therefore may vary, and the number shall be determined and adjusted in accordance with the number of qualified faculty members listed on the official Senate roster prepared during the fall of the academic year during which the elections occur. No department shall have more than one at-large senator.
4. Term of office: Each elected member shall serve for a term of two years and shall be eligible for reelection for a second consecutive term but ineligible for further reelection until one year has elapsed. Elections to fill vacancies shall be for the unexpired term.

B. Officers

1. The Faculty Senate shall have a Chairperson, Vice-Chairperson, Secretary-Treasurer, and Parliamentarian.
2. The officers of the Faculty Senate shall serve in their respective positions for a period of one year, or until a successor is elected. They shall be eligible for reelection.
3. The term of the Chairperson shall begin with his or her election in the first week of March. The terms of the Vice-Chairperson, Secretary-Treasurer, and Parliamentarian shall begin with their election at the following regular meeting of the Faculty Senate.

C. Elections

1. Elections for the first Faculty Senate shall be conducted by the Faculty Affairs Committee of the Academic Council at such dates as may be appropriate for the first election. All subsequent elections of new members of the Faculty Senate shall be conducted under the supervision of the By-Laws, Amendments and Elections Committee.
2. Members of the Faculty Senate are to be elected during the third and fourth weeks in February and shall be chosen as follows:
 - a. Departmental elections: During the third week in February the faculty in each department shall elect by secret ballot one representative to the Faculty Senate.
 - b. At-Large elections: During the first week in February the By-Laws, Amendments and Elections Committee will inform each college in writing of the number of at-large senators to which the college is entitled. Each of the aforementioned colleges shall elect at-large senators during the fourth week of February by secret ballot.
3. Elections of Officers, the Executive Committee, and the Standing Committees
 - a. Election of the Chairperson: During the week following the election (exclusive of vacations) of the at-large senators, the newly-elected senators, in a caucus called by the outgoing Executive Committee, shall elect by secret ballot one from their number to serve as Chairperson of the Faculty Senate.
 - b. Election of the Executive Committee and Standing Committees: Following the election of the Chairperson, at the same meeting, the senators shall caucus by college and each shall elect

from its number one senator to serve on the Executive Committee and a senator to serve on each of the standing committees. Each committee will then caucus and elect a chairperson from its membership.

- c. Election of Other Officers: The Vice-Chairperson, Secretary-Treasurer, and Parliamentarian shall be elected by secret ballot from the membership of the Faculty Senate at the next regularly scheduled meeting of the Senate.
4. Vacancies in the Senate: Departmental vacancies in the Faculty Senate occurring during the academic year shall be filled by new elections within three weeks of the vacancy. Departmental vacancies occurring during the summer term will be filled by new elections within three weeks of the beginning of the next fall semester. Vacancies in at-large delegations shall be filled by the individual receiving the next highest vote in the at-large election of the college in which the vacancy occurred.

D. Meetings and Rules of Procedure

1. The Faculty Senate shall meet once each month during the school year unless the frequency of meetings is changed by a vote of the Senate. The date, time, and place of the meetings are to be determined by the Executive Committee.
2. No regular meeting of the Faculty Senate shall be held unless an agenda prepared by the Executive Committee is distributed to all members of the Senate at least four school days prior to the meeting.
3. Special meetings may be called by the Chairperson with the concurrence of the majority of the voting members of the Executive Committee. Such meetings shall be called upon written request of at least ten (10) members of the Faculty Senate.
4. The Executive Committee shall appoint a temporary Chairperson should neither the Chairperson nor Vice-Chairperson be able to attend any Faculty Senate meeting.
5. A quorum for the Faculty Senate shall be a majority of the Senate membership.
6. The Faculty Senate shall adopt rules for the conduct of its business. In the absence of any special rules of order which the Senate may adopt, Robert's Rules of Order Revised shall govern the conduct of the meetings.

E. Committees

1. Executive Committee

The Executive Committee shall be composed of the Chairperson of the Faculty Senate and one senator from each college. The Vice-Chairperson shall sit ex-officio and non-voting. The Chairperson of the Senate shall preside and have voting privileges.

The term of the elected members of the Executive Committee shall commence with their election and shall be for one year or until successors are elected. A quorum for the Executive Committee shall be four of the seven voting members of the committee.

It shall be the responsibility of the Executive Committee to perform functions assigned to it by the Faculty Senate. It shall function as liaison between the Senate and the administration and between the Senate and the Rules Committee of the Academic Council. Its recommendations shall be recorded in its minutes and reported to the Senate at the next regular meeting. It may create special and ad hoc committees and determine the composition of all committees subject to the approval of the Senate. It shall refer to the appropriate Senate Committee for study such matters as are designated by the Faculty Senate. The written reports of the

committees to the Senate shall be submitted to the Chairperson of the Faculty Senate. It shall insure that elections of the Senate are carried out as specified by the Constitution.

2. By-Laws, Amendments, and Elections Committee

It shall be the responsibility of this committee to supervise nominations and elections. It shall study, and when appropriate, make recommendations concerning Senate rules and by-laws, proposed amendments, and procedural changes.

3. Faculty Status and Welfare Committee

It shall be the responsibility of this committee to study, and when appropriate, make recommendations to the Faculty Senate on policies, criteria, and procedures for faculty appointments, recruitment of faculty, reappointments, promotions, and granting of tenure.

It shall study and, when appropriate, make recommendations to the Faculty Senate on policies and procedures concerning salary, faculty work load, working conditions, and summer teaching employment. It shall also furnish advice on policies and procedures relating to retirement programs, insurance plans, sick leave, and other subject areas that are relevant to faculty welfare.

It shall also study and, when appropriate, make recommendations to the Faculty Senate on policies and procedures concerning sabbatical leaves, leaves of absence, professional travel expense, off-campus teaching and service, consultant activities, and academic freedom and academic due process.

4. Professional Responsibilities and Concerns Committee

It shall be the responsibility of this committee to study, and when appropriate, make recommendations to the Faculty Senate on the policies and procedures for the consideration of faculty grievances.

It shall study and, when appropriate, make recommendations to the Faculty Senate on policies, criteria, and procedures for faculty evaluation, and the recognition of outstanding performance in teaching and University service.

It shall study and, when appropriate, make recommendations on policies and procedures relating to patents and copyrights, University research grants, and recognition of scholarly and creative activity.

It shall also study and, when appropriate, make recommendations to the Faculty Senate concerning the responsibilities and obligations of the faculty person in his/her role as scholar and teacher.

5. Institutional Goals and Planning Committee

It shall be the responsibility of this committee to study, and when appropriate, make recommendations to the Faculty Senate relating to the long-range planning process, including institutional goals and objectives, program-related physical facilities, and policies related to instructional support areas.

6. Fiscal Affairs Committee

It shall be the responsibility of this committee to study, and when appropriate, make recommendations to the Faculty Senate on institutional policies, procedures, and guidelines related to resources allocation, the financial impact of

proposed program additions or changes, and institutional response to financial exigencies.

7. Academic Affairs Committee

It shall be the prerogative of this committee to study, and when appropriate, make recommendations to the Faculty Senate on academic policies and programs under consideration by the Academic Council. Upon recommendation of the committee, the Faculty Senate may initiate action on academic policies which it thinks should be considered by the Academic Council. This committee shall coordinate its efforts and activities with the Fiscal Affairs Committee where academic policies and decisions have financial and budgetary consequences.

IV. Senate Action

The Faculty Senate acts directly or through its committees. Formal communications containing advice and recommendations of the Senate on institutional policies are addressed from the Chairperson of the Senate to the President or office or body designated by the President, or through the President to the Board of Regents.

The Faculty Senate may also address communications to a member of the faculty or the faculty in general, making suggestions or recommendations, giving advice, furnishing information, or communicating otherwise for whatever purposes the Senate deems appropriate.

V. By-Laws

General by-laws governing the operation of the Faculty Senate shall be adopted by a majority vote of the actual membership of the Senate.

VI. Amendments

An amendment may be proposed by the Faculty Senate by a two-thirds majority of those voting, provided it was included in the agenda and was available to the members of the Faculty Senate at least two weeks before the vote is taken. An amendment becomes operative upon being approved by the Board of Regents.

By-laws will be adopted to determine how amendments will be submitted.

VII. Ratification

The Faculty Senate shall be established and this constitution shall be adopted upon approval of the Board of Regents.

RECOMMENDED RULES AND PROCEDURES FOR THE FIRST ELECTION OF
THE MEMBERS OF THE FACULTY SENATE

A. Election of Senators from Departments

1. The faculty members in each academic department of the university shall meet for the purpose of electing by secret ballot a departmental representative to the Faculty Senate. Each Department Head shall be responsible for giving reasonable notice to all departmental faculty eligible to vote and such notice shall include the time, place, and purpose of the election.
2. The election shall be held within 3 working days of the first day of classes of the fall semester, 1976.
3. Elections for the first Faculty Senate shall be conducted by the Faculty Affairs Committee of the Academic Council. A Faculty Affairs Committee member from each college shall conduct the election in each department of that college.
4. Each department head in cooperation with the Faculty Affairs Committee representative from the respective college shall prepare a first ballot which shall include all ranked full-time faculty members of

that department who satisfy at least three-fourths of their contractual obligation in teaching, research, public service, and/or other non-administrative assignments. A list of eligible faculty members by department will be provided by the Office of Academic Affairs. Unresolved questions regarding eligibility for nomination may be referred to the Faculty Affairs Committee which shall render a decision on any questions.

5. All members of the departmental unit qualifying as "faculty" as defined in #4 shall be eligible to vote. Unresolved questions regarding eligibility to vote may be referred to the Faculty Affairs Committee which shall render a decision on any questions.
6. Faculty eligible to vote may cast one vote on the first ballot and any subsequent ballots.
7. If a candidate receives a simple majority of the votes cast on the first ballot, that faculty member will be declared elected. If no candidate receives a simple majority of the votes cast on the first ballot, the top two vote-getters plus additions created by ties shall constitute a second ballot. This procedure shall be repeated until one candidate receives a simple majority of the votes cast.
8. The results of each departmental election shall be reported by that college's Faculty Affairs Committee member, who shall report the complete results of the college election to the Chairman of the Faculty Affairs Committee within 24 hours of the last departmental election.
9. All regular academic departments shall constitute a department for purposes of rules and procedures governing this election. Special areas shall be considered as follows:
 - A. The Jones-Jaggers Laboratory School shall be considered a department.
 - B. The Center for Intercultural and Folk Studies shall be considered a department.
 - C. The Center for Career and Vocational Teacher Education shall be placed with the Department of Secondary Education.
 - D. The Public Service Institute faculty shall be placed with the Department of Government.
 - E. The Mid-Management and Distributive Education Area faculty shall be placed with the Department of Business Education and Office Administration.
 - F. Academic Services is authorized to have two elected nominees, one from Library Services and one from Media Services.

B. Election of At-Large Senators

1. After the election of the departmental representatives (as detailed in #A), the at-large Senators representing each college will be elected by secret ballot mailed from the Office of Academic Affairs to each eligible voter in the college. Academic Services will elect three at-large Senators; Applied Arts and Health, none; Business and Public Affairs, two; Education, four; Ogden, four; and Potter, four.
2. No department shall have more than one at-large Senator.
3. On the first ballot conducted within the college only those faculty members (no more than one in each department) who receive the greatest number of votes (down to 50% of the total votes cast) will be included on the second ballot. The balloting will continue until those elected receive at least 50% of the votes cast.
4. The results of each college election shall be reported by that college's Faculty Affairs Committee member, who shall report the complete results

of the election to the Chairman of the Faculty Affairs Committee within 24 hours of the final balloting.

C. Staggering of Terms

1. In this first election, half of the senators elected will serve two and one-half year terms and the other half will serve one and one-half year terms. The senators from each college serving the longer terms shall be selected from the college senate membership by lot. The Faculty Affairs Committee will be in charge of making this determination.
2. The second election of members of the Faculty Senate will take place in February, 1978. The terms of all members elected in this second election and in subsequent elections will be two years.

After full discussion, Dr. Buckman's motion, seconded by Mr. Cole, for acceptance of the Faculty Senate Ad Hoc Committee's report and adoption of the Faculty Senate Constitution carried unanimously.

At this point in the meeting, President Downing expressed appreciation to a "large number of people who have been involved in several significant items on the agenda." A special thanks was extended to members of special committees for their efforts and the efficient manner in which they had carried out their assignments.

Upon the recommendation of the President, the motion was made and seconded by Dr. Buckman and Mr. Henry, respectively, for the approval and adoption of the following plan as submitted by the University Scholarship Committee for the utilization of the additional \$25,000 in scholarship support provided by the College Heights Foundation for the 1976-77 school year:

Proposed Qualifications for Applicants, Procedures, and Conditions for Administering the College Heights Foundation Scholarships in the Amount of \$25,000 for Upperclass Students for the 1976-77 School Year

I. Qualifications

1. By directive this scholarship program is for sophomores, juniors, and seniors.

2. A student is eligible to apply for this scholarship if enrolled full-time, has earned a minimum of 30 semester hours, and achieved a minimum grade point average of 3.5. The amount of gift assistance that an applicant is receiving from other sources (Basic Educational Opportunity Grant, the Kentucky Higher Educational Assistance Authority State Student Incentive Grant, Supplemental Educational Grant, and other scholarships) will be taken into consideration when making these awards.

3. Each applicant shall file a standard scholarship application with the Office of University-School Relations.

4. An applicant upon request shall submit to an interview by the screening committee.

II. Procedures

1. A subcommittee from the Scholarship Committee made up of representatives from each college and chaired by the Director of University-School Relations shall screen all applicants and recommend recipients for awards.
2. The University-School Relations Office shall prepare scholarship application forms, publicize the program so that all eligible students will have access to the information, receive the completed application forms from students, and make arrangements for the subcommittee's evaluation of applications.
3. The University-School Relations Office shall prepare award letters and maintain a summary of the scholarship awards.

III. Conditions

1. Applicants shall be considered for this scholarship without regard to race, sex, creed, religion, or national origin.
2. To the extent possible, awards shall be distributed among the colleges and to the group of students that have not declared a major field of study on the basis of the eligible population and the total population in each unit.
3. To the extent possible, an equitable distribution of awards shall be made and maintained among sophomores, juniors and seniors. After the first year the number of scholarships available for new applicants will depend on the number not reawarded to current holders and the number of scholarship holders graduating.
4. The \$25,000 fund shall be divided into annual awards of twenty-five \$500 awards (\$250 per semester) and fifty \$250 awards (\$125 per semester).
5. The scholarships are to be awarded on an annual basis, but the recipient may reapply and be considered for the scholarship for subsequent years by maintaining a 3.5 grade point average, making satisfactory progress and remaining in good standing with the University.

After full discussion, the motion carried unanimously.

The next item on the agenda was the presentation by President Downing of a report on capital constructions projects and proposals relating to the continued development of the Master Campus Plan. The items covered in detail by the President and his recommendations follow in condensed form:

1. Renovation of Florence Schneider Hall into a Continuing Education Center. As the result of bids on the project having been rejected in March, 1976, and based on the development of a new budget reflecting certain changes which have been agreed upon by the University, the State Division of Engineering, and the architect, it was recommended that the total project cost be increased to \$1,075,150, which exceeds the original estimate by \$150,150 but is \$159,650 less than the low bid in March. In reviewing the financing of the project, the President explained that \$650,000 was provided by the Governor from state surplus funds and that the balance of \$425,150 was available in the University's capital construction funds on deposit with the Executive Department of Finance and Administration and the State Treasurer (funds having accumulated from unused contingency allowances and interest earned during construction of facilities which have been financed earlier through the sale of Housing and Dining Revenue Bonds).

2. Status report on Land Utilization Study, including recreational areas. With such study having been authorized by the Board of Regents on February 24, 1973, the University is continuing to work with the consultants in the development

of the Land Utilization Study with its presentation to the Board and recommendation for adoption being anticipated in the "relatively near future."

3. Recommendation for removal of frame houses on Regents Avenue.

The six small frame houses on Regents Avenue were moved to their present location when Regents Hall was constructed in 1958. The cottages, which were built originally in the 1930's, are in poor condition; and it is not considered economical to continue to repair and maintain. Based on these facts and in keeping with the Master Campus Plan, it was recommended that the houses be razed.

4. Report on property acquisition.

a. Daniel property, 330 East 15th Street - Based upon the appraisal, the Executive Department of Finance and Administration has attempted to negotiate purchase of the property but has been unsuccessful in reaching an agreement. Such appraisal and purchase were authorized by the Board of Regents on September 20, 1975.

b. Lemox properties, 1409, 1501, and 1505 Center Street - The buildings, which were acquired from Edward Lemox, have been razed in accordance with Board authorization on January 31, 1976.

c. W. T. Raymer, who owns property at 1509 Center Street, has placed the property in the hands of a realtor for sale. The land with improvements joins the Kentucky Building grounds and the recently acquired Lemox properties. Following established procedures with the Department of Finance and Administration in the acquisition of real estate, it was recommended that an effort be made to purchase the property since its acquisition would secure for the University the triangle of acreage that is bounded by the Kentucky Building grounds, U. S. Highway 68, Center Street, and 14th Street. When the Master Campus Plan was approved, it was anticipated that the Raymer property would be acquired by the University.

In the discussion which followed, Mr. Henry stated that the lack of married student housing on campus constituted a definite problem and voiced concern in the razing of the cottages on Regents Avenue which are occupied by married students. In elaborating on the large number of apartment units that have been brought into existence in this area over the past five years by private enterprise, President Downing stated it was felt that rental costs of such units would be competitive with what the University could provide at current construction costs. He added that in his opinion the number of private units is adequate but not always priced within the married student range.

Mr. Ramsey moved acceptance of the President's report and approval of the recommendations as outlined above. The motion was seconded by Mr. Clark; and after further discussion, the roll call vote was as follows:

Aye: Buckman, Clark, Cole, Edds, Embry, Henry, Kuegel,
Ramsey, Sheffer

Nay: None

Following discussion and upon the recommendation of the President that the University enter into standing agreements with Research Corporation and/or Battelle Development Corporation for services in connection with evaluation and/or development of inventions, Mr. Kuegel moved adoption of the following resolution:

RESOLUTION

WHEREAS, the Board of Regents has heretofore adopted a policy governing administration of inventions or patents resulting from the use of staff, materials, equipment, time, or facilities of the University; and

WHEREAS, inventions or discoveries made by members of the faculty, staff, or employees require experienced scientific and technical evaluation of patentability and commercial and scientific utility as a basis for seeking patents thereon; and in introducing them into use in the useful arts and manufactures; and for scientific purposes; and also, require experienced supporting scientific research for development of such inventions; and the licensing of any patents based thereon; and

WHEREAS, it is not feasible or practicable for the University to meet these needs for required scientific and technical experience by direct staffing; and

WHEREAS, such experienced evaluation and development services are available to universities through invention administration and development agreements with one or more private nonprofit corporations organized and operated for educational and scientific purposes:

BE IT RESOLVED, by the Board of Regents of Western Kentucky University that on behalf of and in the name of the Board, the President or other official designated by him is authorized to negotiate with one or more such organizations the terms and conditions of and execute such standing agreements as are customary and necessary to secure experienced scientific and technical evaluation and/or development services from one or more such organizations in connection with inventions and discoveries resulting from the use of staff, materials, equipment, time, or facilities of the University. The provisions of such agreements shall be consistent with the provisions of the University Patent Policy, shall contain such standard provisions as required by the Kentucky Executive Department for Finance and Administration, and may provide for commitments to make assignments of the University's rights, title, and interest in inventions and/or improvement of inventions, and arrangements for collection of royalties, licenses fees or other monies with respect thereto.

This the 24th day of April, 1976.

The motion was seconded by Mr. Cole; and after further discussion, the roll call vote was as follows:

Aye: Buckman, Clark, Cole, Edds, Embry, Henry, Kuegel,
Ramsey, Sheffer

Nay: None

There having no change since 1967 in the payment to faculty members for course development, course revision, and for the grading of independent study courses at both the high school and college levels, the following revised schedule of payments was recommended by the President to become effective July 1, 1976:

| | <u>Proposed Payment Schedule</u> | <u>Present Payment Schedule</u> |
|--------------------------------------|--|---|
| <u>Course Development</u> | | |
| New College Courses: | | |
| One semester hour | \$125.00 | \$100.00 |
| Two semester hours | 250.00 | 200.00 |
| Three semester hours | 350.00 | 300.00 |
| Four semester hours | 450.00 | 400.00 |
| Five semester hours | 550.00 | 500.00 |
| New High School Courses: | | |
| One-half unit course | 250.00 | 200.00 |
| One-quarter unit course | 125.00 | -- |
| <u>Course Revision</u> | | |
| College Courses: | | |
| One semester hour | 100.00 | 67.00 |
| Two semester hours | 175.00 | 134.00 |
| Three semester hours | 250.00 | 200.00 |
| Four semester hours | 300.00 | 267.00 |
| Five semester hours | 350.00 | 334.00 |
| High School Courses: | | |
| One-half unit course | 200.00 | 150.00 |
| One-quarter unit course | 100.00 | -- |
| <u>Assignment and Lesson Grading</u> | | |
| College Course Lessons | 1.00 | .65 |
| High School Course Lessons | .75 | .50 |

It was further recommended that the fee being charged for one-half unit of high school independent study (correspondence courses) be increased from \$18 to \$22, effective July 1, 1976.

The motion for approval of the above recommendations was made by Mr. Cole and seconded by Mr. Sheffer. After discussion, the vote was as follows:

Aye: Buckman, Clark, Cole, Edds, Embry, Henry, Kuegel,
Ramsey, Sheffer

Nay: None

Following discussion, Mr. Ramsey moved adoption of the ensuing resolutions:

RESOLUTION

WHEREAS, the progress and continued development of Western Kentucky University have been made possible to a great degree by the able service and dedicated efforts of both past and present members of the Board of Regents; and

WHEREAS, the gentleman to whom this Resolution is directed served with faithfulness from April 2, 1968, to April 2, 1976, and as Chairman from September 23, 1972, to October 26, 1974, with previous service on the Board having extended from 1956 to 1960; and

WHEREAS, the man to whom we refer, Dr. W. R. McCormack, has made a lasting contribution throughout the years to Western and to those whom it serves:

BE IT THEREFORE RESOLVED, That the Board of Regents of Western Kentucky University in a meeting on April 24, 1976, does hereby offer this Resolution as an expression of appreciation to Dr. W. R. McCormack for his service to the University, and also offers it as an expression of our personal best wishes and of Western's best wishes to him for all of life's richest blessings.

BE IT FURTHER RESOLVED, That a copy of this Resolution be presented to Dr. McCormack so that he will be fully aware of the great value placed upon his many contributions to Western Kentucky University and of the high esteem in which he is held by the members of this Board.

RESOLUTION

WHEREAS, Albert G. Ross of Campbellsville, Kentucky, served as a member of the Board of Regents of Western Kentucky University from April 4, 1968, to April 2, 1976; and

WHEREAS, during this period he made a lasting contribution to the welfare and progress of the University, both as a member of the Board and as Chairman from October 26, 1974, through September 20, 1975; and

WHEREAS, such dedicated service merits special recognition:

BE IT THEREFORE RESOLVED, That the Board of Regents of Western Kentucky University in a meeting on April 24, 1976, does hereby offer this Resolution as an expression of appreciation to Mr. Albert G. Ross for his eight years of distinguished and meritorious service, and also offers it as an expression of our personal best wishes and of Western's best wishes to him for all of life's richest blessings.

BE IT FURTHER RESOLVED, That this Resolution be spread upon the minutes and that a copy thereof be presented to Mr. Ross as further testimony of the appreciation and gratitude of the Board of Regents.

RESOLUTION

WHEREAS, May 1st is LAW DAY U. S. A. in the United States of America; and

WHEREAS, The United States of America has been the citadel of individual liberty and a beacon of hope and opportunity for 200 years to many millions who have sought our shores; and

WHEREAS, the wellspring of individual freedom and liberty is the body of Law which governs us; and

WHEREAS, the Constitution of the United States of America and the Bill of Rights are the heart of that body of law which guarantees us many freedoms-- including freedom of religious belief, freedom to have and hold property inviolate, freedom of assembly, freedom of speech, freedom of press, freedom of petition, and due process of law among others; and

WHEREAS, this year marks our nation's Bicentennial; and the Congress of the United States, the President, and the Governor of the Commonwealth by official proclamation have set aside May 1 as a special day for recognition of the place of law in American life:

NOW, THEREFORE, The Board of Regents of Western Kentucky University do hereby designate Saturday, May 1, 1976, as Law Day U. S. A. and call upon all members of the University community to give special recognition to the

importance of law in American life and on the well-being of every citizen and to reaffirm their dedication to our form of government and the supremacy of law in society.

This the 24th day of April, 1976.

RESOLUTION

WHEREAS, Mr. Bowman (Bobo) Davenport, head coach of the Edmonson County High School boys' basketball team, had led his student athletes to a highly successful record in season play during 1975-76 compiling an overall record of 27 wins and 6 losses; and

WHEREAS, Coach Davenport, a native of Bowling Green, who is a former member of the Western Kentucky University varsity basketball team, and having received both the bachelor's and master's degrees from Western Kentucky University; and

WHEREAS, the Edmonson County High School basketball team advanced through the 1976 Kentucky High School Athletic Association state boys' basketball tournament against the winning teams of other regions of Kentucky; and

WHEREAS, the Edmonson County boys' team under the outstanding and spirited leadership of Coach Davenport emerged from the final round of the 59th annual KHSAA Tournament as the 1976 Boys' State Basketball Champion:

BE IT THEREFORE RESOLVED, That the Board of Regents of Western Kentucky University direct the secretary to spread upon the official minutes of this body this sincere expression of congratulations to Coach Davenport, to his staff, to the members of the basketball squad, to the entire student body, faculty, and administration of Edmonson County High School; and be it also resolved that copies of this Resolution be transmitted to Coach Davenport; to Mr. Johnny Vincent, Principal of Edmonson County High School; to Mr. Roy James, Superintendent of Edmonson County Schools; to Mr. Gayle Carder, Mayor of the city of Brownsville; and Mr. Ed Logsdon, County Judge of Edmonson County, as evidence of the institutional pride which is expressed herein for the sportsmanship, spirit and accomplishments of the Edmonson County High School boys' basketball team.

This the 24th day of April, 1976.

RESOLUTION

WHEREAS, Mr. Norbett Richard Schmidt, head coach of the Ballard High School boys' basketball team of Louisville, Kentucky, has led his team to a season record of 31 victories and 5 losses; and

WHEREAS, Coach Schmidt's Ballard High School teams have compiled a record of 149 wins and 30 losses, or a winning percentage of .832 over his coaching career, including an average of 30 victories per year during the past three seasons; and

WHEREAS, Coach Schmidt is a graduate of Western Kentucky University in the Class of 1964, holding the B. S. degree; and

WHEREAS, Coach Schmidt has been recognized as "Coach of the Year" in the Seventh Region of the Kentucky High School Athletic Association for three consecutive years from 1973 through 1975; and

WHEREAS, Coach Schmidt has been named as the 1976 "Coach of the Year" for the Commonwealth of Kentucky by his fellow basketball coaches of the KHSAA:

BE IT THEREFORE RESOLVED, That the Board of Regents of Western Kentucky University, in testimony of the institutional pride which is expressed in the accomplishments of Coach Schmidt, direct the secretary to forward this message of congratulations to Coach Schmidt; and be it also resolved that copies of this Resolution be transmitted to Mr. Patrick L. Crawford, Principal of Ballard High School, and to Mr. Ernest C. Grayson, Superintendent of schools for Jefferson County.

This the 24th day of April, 1976.

Mr. Ramsey's motion was seconded by Mr. Cole and carried unanimously.

After discussion and in compliance with House Bill 100, Mr. Clark moved adoption of the following schedule for regular meetings of the Board of Regents for the coming fiscal year:

Saturday, July 31, 1976
Saturday, October 30, 1976
Saturday, January 29, 1977
Saturday, April 30, 1977

Seconded by Mr. Sheffer, the motion carried unanimously.

Among items presented under "other business" were the following:

1. At the request of President Downing, the Board heard a progress report by Dr. J. T. Sandefur on the status of the University Task Force on Institutional Planning which he serves as Chairman. He reviewed developments since this monumental endeavor involving university-wide participation was undertaken last summer for the purpose of developing recommendations to the President for a comprehensive long-range institutional master plan in the major areas of academic, fiscal, and facilities in keeping with the guidelines established by the Council on Public Higher Education. He stated that a revision in the University Statement of Purpose, which is an institutional elaboration upon the statutory provisions, would be among the recommendations of the Task Force in its final report to be submitted to the President no later than June 15.

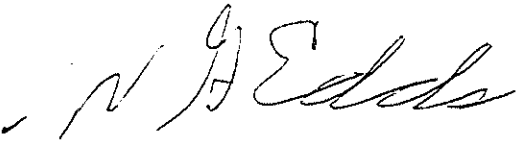
2. Mr. Henry reported that his meeting with the Recreational Committee and the Office of Student Affairs, as discussed at the February 28 meeting of the Board, had resulted in an immediate solution to the problem of intramural and free-play recreational facilities but reiterated his feeling that the lack of such facilities, long-rangewise, constituted a major need and urged continued effort in this direction.

3. After preliminary comments and his reasons therefor, Mr. Henry moved that Mr. Sheffer work with the Board of Regents Disciplinary Appeals Committee in a review of the procedures that are being followed in student disciplinary cases. The motion was seconded by Dr. Buckman and after discussion carried unanimously.

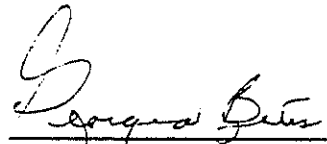
There being no further business, on motion made and duly seconded, the meeting was adjourned at approximately 4:30 p. m.

CERTIFICATION OF SECRETARY

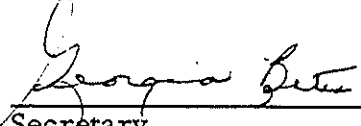
I certify that the minutes herein above set forth an accurate record of votes and actions taken by the Board of Regents of Western Kentucky University in its meeting held on April 24, 1976, in the Regents Conference Room of the Wetherby Administration Building on the Western campus and further certify 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