

**MINUTES OF THE BOARD OF REGENTS  
WESTERN KENTUCKY UNIVERSITY**

**September 18, 1991**

Required statutory notice having been given, a special meeting of the Board of Regents of Western Kentucky University was held in the Regents Conference Room of the Wetherby Administration Building. The meeting was called to order at 5 p.m., CDT, by Mr. Joseph Iracane, Chairman.

**AGENDA ITEM 1 - Invocation**

The meeting opened with a prayer of invocation by Dr. Paul B. Cook, Executive Vice President for Administration and Technology.

**AGENDA ITEM 2 - Roll call**

The following members were present:

\* Mr. Bobby R. Bartley  
Mr. Danny Butler  
Mr. Stephen B. Catron  
Mr. Robert L. Chambless, Jr.  
Dr. Eugene E. Evans  
Ms. Heather E. Falmlen  
Mr. Monnie L. Hankins  
Mr. Joseph Iracane  
Mrs. Patsy Judd  
Mr. Fred L. Travis

Absent at the roll call, Mr. Butler arrived at approximately 5:10 p.m.

Also present were Dr. Thomas C. Meredith, President; Dr. Paul B. Cook, Executive Vice President for Administration and Technology; Dr. Robert Haynes, Vice President for Academic Affairs; Dr. Jerry Wilder, Vice President for Student Affairs; Dr. Jim Heck, Executive Assistant to the President; Mrs. Liz Esters, Staff Assistant for Special Projects and Secretary to the Board of Regents; and Mr. Franklin Berry, University Attorney and Parliamentarian.

**AGENDA ITEM 3 - Discussion of the Credit Union**

Noting that the sole purpose of the special meeting was for discussion of the Credit Union, Chairman Iracane asked Regent Evans for his comments. Dr. Evans noted that he and Ms. Falmlen had jointly requested the meeting to clarify misinformation about the Board's action and the Board's intentions relative to the Credit Union. Dr. Evans reported that it was discovered last spring that the arrangements relative to the University hosting the Credit Union on campus were not in conformity to the law and stated that he considered the Board's vote not discretionary but virtually ministerial at that point. Once it was established that the arrangement was not in accordance with the law, he thought the Board would be required to vote for

bidding for the space currently occupied by the Credit Union. Dr. Evans felt the special meeting was needed to clarify the intent of the Board and to make preliminary arrangements that would assure the Credit Union the right to bid on the space it currently occupies. He added that an Attorney General's opinion has been sought with regard to clarifying the operation of the Credit Union on the campus of the University.

Stating that the biggest problem with the issue had been a lack of communication, Ms. Falmlen said that she would propose a compromise whereby students, faculty, and staff would have a continuous banking service on the campus.

Chairman Iracane reviewed the background leading to the Board's adoption of the July 29 resolution pertaining to the Credit Union.

President Meredith reiterated that on several occasions the Board discussed the issue of legality of operations and relationships between the Credit Union and the University. Dr. Meredith said that he had asked the Credit Union about its expansion and their future plans. He stated that the Credit Union advised him that it will continue in the future with its present direction.

To insure that the Credit Union would be assured the opportunity to bid on the space they currently occupy, Dr. Evans introduced the following resolution:

#### **RESOLUTION**

**BE IT RESOLVED** by the Board of Regents that:

- (1) The Western Kentucky University Credit Union be allowed to continue the use of the space at a fair market rental rate until the Secretary of Finance and Administration awards a lease for space to a financial institution for the furnishing of such services on the campus.
- (2) The President of Western Kentucky University is directed to request the Secretary of Finance and Administration to offer for bid, space located in the Garrett Conference Center for the location of a financial institution which will make available to the faculty, staff, and their families and the students of Western Kentucky University, the same services that are currently provided by the Western Kentucky University Credit Union.
- (3) The Board of Regents of Western Kentucky University request that, if the Secretary of Finance and Administration offers the space for lease bid, the lease for the space be made to the highest and most qualified bidder which will benefit Western Kentucky University's faculty, staff, their families and the students, and be awarded after advising with the President of Western Kentucky University and the Executive Committee of the Board of Regents.

Following a discussion on the process for drafting of the bid specifications to be used by the Department of Finance and Administration,

Mr. Travis moved adoption of the resolution introduced by Dr. Evans. The motion was seconded by Ms. Falmlen, and the roll call vote follows:

Aye: Bartley, Butler, Catron, Chambless, Evans, Falmlen, Hankins, Iracane, Judd, Travis

Nay: None

Ms. Falmlen read the following resolution which did not appear on the agenda for the meeting:

#### RESOLUTION

##### Fall Break

Purpose: For Western Kentucky University to implement a fall break consisting of a consecutive Friday and Monday in the month of October.

WHEREAS, There has been an extensive interest among the student body for the implementation of a fall break, and

WHEREAS, in a survey of 1,240 students, 1,068 responded favorably to the idea of a fall break, and

WHEREAS, with the addition of a fall break, this would give professors and students an opportunity to prepare for the remainder of the semester, and

WHEREAS, upon returning from a four-day weekend, students and faculty would be refreshed and more enthusiastic about the rest of the semester, and

WHEREAS, Western is recruiting larger numbers of students who live in the Eastern part of the state or who live out of the state, and

WHEREAS, Western attends two more days in the fall than in the spring, and

WHEREAS, with the implementation of a fall break during the month of October, students and faculty would no longer be required to attend sixty-seven days of classes without a break longer than a two-day weekend.

THEREFORE, I, Heather E. Falmlen, as a member of the Board of Regents respectfully request that Western Kentucky University implement a fall break based upon the suggestions given by the student body.

Ms. Falmlen noted that the Associated Student Government passed a resolution last fall that was referred to the Academic Council. The Academic Council came back with a substitute resolution, which was not acceptable.

No action was taken on the resolution.

Dr. Evans noted for the record that the Board had been presented with a petition from the faculty, staff, and students asking the Board to reverse it's July 29 decision related to the Credit Union thus retaining the campus branch and its current name .

Discussion was held regarding the appropriateness of the Credit Union retaining it's current name. President Meredith stated that with the change of the University's relationship with the Credit Union, he sees no

reason for the name of "Western Kentucky University" to be a part of the Credit Union's name.

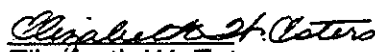
University Attorney Berry stated that the general rule of law is that names are not to be confusing and misleading, and Western Kentucky University owns the right to its name. Mr. Berry was unaware of any agreement with the Credit Union regarding the use of the University's name.

Chairman Iracane indicated that the University would continue to address legal aspects of the continuing use of the University's name as part of the Credit Union's name.

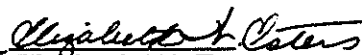
There being no further business to come before the Board, motion for adjournment was made by Mrs. Judd and seconded by Mr. Butler. The meeting adjourned at approximately 5:35 p.m.

#### CERTIFICATION OF SECRETARY

I hereby 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 a special meeting held on September 18, 1991 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 KRS 61.810, 61.815, 61.820, and 61.825 (enacted as Sections 2, 3, 4 and 5 of House Bill 100, 1974 Regular Session, General Assembly).

  
Elizabeth W. Esters  
Secretary

  
Joseph Iracane  
Chairman

  
Elizabeth W. Esters  
Secretary

October 31, 1991

October 31, 1991