

MINUTES OF MEETING OF THE BOARD OF REGENTS
WESTERN KENTUCKY STATE COLLEGE
December 18, 1965

The Board of Regents of Western Kentucky State College convened in closed session on Saturday, December 18, 1965, at 9:30 a. m., in the office of the President, prior to the matter coming on to be heard before the Board at 10 o'clock pursuant to the requests of George Chakos, Frank Bonasso, Sam A. Lawson, and Robert N. Johns, appellants, and the notice given to them and to their counsel, J. Granville Clark, by Dr. Harry M. Sparks, Chairman of the Board. Members present, in addition to Dr. Sparks, were Mr. Bemis Lawrence, Mr. Douglas Keen, Mr. Hugh Poland, Dr. Gerald Edds, and Dr. J. T. Gilbert.

Others present were Messrs. J. David Francis and Charles English, legal counsel for the Board; Dr. Raymond L. Cravens, Vice President for Academic Affairs and Dean of the Faculties; Mr. Dero G. Downing, Vice President for Administrative Affairs and Treasurer; Mr. Charles Keown, Dean of Students and Chairman of the Disciplinary Committee referred to later in this report; and Miss Georgia Bates, Secretary to the Board. Also present was Mr. Jerome Roppel, court reporter from Louisville, whose services had been engaged by the Board. It should be noted here that President Kelly Thompson was not present, having been out of the state since December 10, and that Regent Maxey B. Harlin joined the meeting at approximately 10:30 o'clock.

The first order of business was the adoption of Procedures for the disciplinary hearing. Upon the motion of Mr. Lawrence, seconded by Dr. Edds, the following Procedures were unanimously adopted:

PROCEDURES

1. A disciplinary appeal shall proceed informally.
2. The student shall have the right to introduce witnesses in his own behalf and shall have the right to interrogate or cross examine the witnesses against him.
3. The College shall also have the right to introduce witnesses and to interrogate or cross examine the students or their witnesses.
4. All testimony shall be sworn under oath.
5. Both the students and the College shall have the right of counsel, who may argue the case before the Board.
6. Evidence may be presented in narrative or question and answer form.
7. The students shall have the right and duty to open and close.

8. At the conclusion of the hearing the Board will reach a decision out of the presence of counsel and the parties. The parties will be informed immediately of the decision of the Board.

The next question coming before the body was whether the press would be admitted to the hearing or be excluded. Mr. Lawrence stated that in view of the fact that a hearing date was set in Warren Circuit Court for Tuesday, December 21, and that to publicize any testimony offered at today's hearing may be prejudicial to the parties involved, he therefore moved that the press be excluded from the hearing, and further moved that the press be given the results of any decision made. The motion was seconded by Dr. Edds and carried unanimously.

At this point, Mr. Lawrence dictated to Mr. Roppel the opening statement for the record and presented him with copies of the requests of the appellants and the notice of Chairman Sparks referred to in Paragraph 1, Page 1.

Following discussion, Mr. Lawrence moved that a pre-hearing informal conference requested by Attorney Clark be held. The motion was seconded by Mr. Poland and carried unanimously. Present for the conference were legal counsel for both sides and members of the Board. It was proposed by Mr. Clark that--

1. The suspended students appear before the Board of Regents, admitting that they were in the wrong.
2. The suspended students would agree to discontinue publication of The Skewer until such time as a faculty advisor could be appointed.
3. The two weeks which had transpired since their suspension be considered appropriate and adequate penalty.
4. Based on the above, the suspended students be reinstated as students in good standing with the beginning of classes on Monday, January 3.

Following discussion of this proposal, the Board called Dr. Cravens, Mr. Downing, and Dean Keown into a closed conference and asked for their reactions to the proposal. The Board and these administrative officials of the College conferred at length; and upon the suggestion of Attorneys Francis and English, it was agreed that Mr. Francis and Mr. Downing should meet with counsel for the suspended students and convey the following response:

1. The Board would be agreeable to having the students appear before them with a statement that they were in the wrong and were willing to accept the penalty imposed by the President's Disciplinary Committee.

2. The suspended students could use their judgment as to submitting applications for readmission at some future registration period.
3. Any application for readmission would be processed in accordance with established policies and procedures for such cases.

Counsel for the students stated that this was not acceptable and requested that the Board proceed with the formal hearing of the appeal.

Assembled in the President's Office for the hearing, in addition to the above-named persons, were Frank Bonasso, Sam A. Lawson, Robert N. Johns, the wives of Lawson and Johns, the parents of Bonasso and Lawson, and the mother of Johns. George Chakos, who had withdrawn from the College on November 29, was not present.

Chairman Sparks stated that the opening statement for the official record of the proceedings had been dictated to the court reporter, who had also been provided with copies of the communications referred to in Paragraph 1, Page 1. Dr. Sparks then made reference to the Procedures that had been adopted by the Board and handed a copy to Mr. Clark.

Upon the request of Mr. Clark directed to Chairman Sparks for the charge upon which the defendants were either indefinitely suspended or expelled, he was reminded by Dr. Sparks that the Board was responding to the appeal and not the charge. The question was then redirected to the Dean of Students, who read the following statement, a copy of which was filed with the record:

The charge against the students Frank Joseph Bonasso, Samuel Anthony Lawson, and Robert Nathan Johns and for which they were suspended by action of the Disciplinary Committee appointed by the President of the College for the purpose of hearing, considering, and determining whether or not a disciplinary problem existed and whether or not any penalty should be meted out therefore, is that the students above named are in violation of the standard of personal conduct required of students as set out in the rules of the College on page 28 of a document entitled Western Kentucky State College Student Handbook 1965-66 and also set out in rules of the College in a document entitled Western Kentucky State College Bulletin on page 23 thereof, a copy of which publications was available to each student at Western including those above named and which in particular reads, "When a person becomes a Westerner, he is considered an active member of the College community and is, therefore, entitled to all the rights and privileges of the community. At the same time, he incurs certain personal obligations to that community.

"The College demands high standards of personal conduct from its students. It is the responsibility of every student to respect and abide by college regulations as well as by the laws of the community and state.

"Although a student who becomes involved in difficulties will be given all possible help and understanding, persons whose standards and purposes are not compatible with those of the College will be put on probation or dismissed from the College."

Attorney Clark then stated that inasmuch as the only charge was that the defendants violated standards of personal conduct, he would like to move that the charge be made more specific. Attorney Francis responded that the Board was willing to stand on the charge of fact.

At this point, Dean Keown was questioned by Mr. Clark regarding the conference which the Disciplinary Committee, of which he was Chairman, held with the students involved on December 2 and the charges on which they were suspended.

Following an attempt by Attorney Clark to show why the "suspension or expulsion" should be set aside, which was over-ruled, he then sought a continuation of the hearing. After discussion in privacy among the Board members, the request was denied.

At this point the hearing recessed for lunch, and the hour of 2 o'clock was set for resumption.

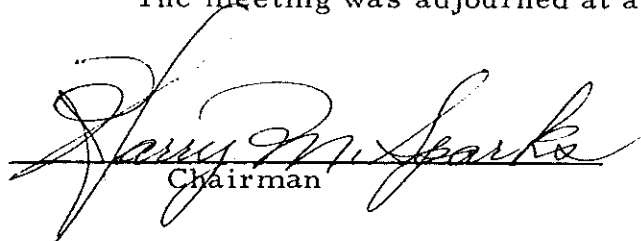
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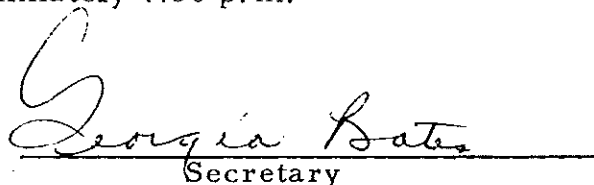
The afternoon session was opened with considerable discussion as to which side would proceed first. Following Mr. Clark's statement of defense, witnesses called by him were as follows:

Dean Charles A. Keown
 Dr. James Wise, member of the English Department faculty
 Mr. Al Smith, Editor of the News-Democrat, Russellville newspaper
 Dr. Eugene Evans, member of the College of Commerce faculty
 Mr. Lewis Edward Haymes, member of the Foreign Languages faculty
 Mr. James Porter, member of the Sociology Department faculty
 Mr. Michael Jung, member of the Art Department faculty

The hour being considerably late, the Board and its counsel went into executive session, and the decision was reached that the hearing would be adjourned to reconvene at an early date in January. Following lengthy discussion, the hour of 10 a. m., CST, on January 8, 1966, was set for the continuation of the hearing in the President's Office.

The meeting was adjourned at approximately 7:30 p. m.


 Chairman


 Secretary