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Board of Regents, Murray State University

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MINUTES OF THE MEETING OF THE BOARD OF REGENTS  
MURRAY STATE UNIVERSITY  
AUGUST 20, 1978

The Board of Regents of Murray State University met August 20, 1978 at 2:00 p.m., CDT, in the Board Room of Harry M. Sparks Hall on the campus of the University. The following members were present: Dr. Charles E. Howard, Chairman, presiding; Miss Martha Boles, Mr. J. W. Carneal, Mr. Ron Christopher, Mr. Bob T. Long, Dr. S. M. Matarazzo, Mr. A. B. Mitchell, and Dr. Ed Settle.

Absent were Mr. Jere McCuiston and Mr. O. B. Springer.

Also present were Dr. Constantine W. Curris, President; Mrs. Patsy R. Dyer, Secretary of the Board; Dr. Richard Gray, Treasurer of the Board; Mr. James Overby, University Attorney; Vice Presidents Gordon, Julian, and Butwell; Mr. Jim Hall, Executive Assistant to the President for Planning and the Budget, Dr. Rick Stinchfield, Administrative Assistant to the President; Mr. Don Chamberlain, Director of Advanced Institutional Development Program; members of the news media and visitors.

The Chairman called the meeting to order and Dr. Matarazzo led in prayer.

Agenda

President Curris presented the following agenda for the meeting:

AGENDA  
for  
Meeting of the Board of Regents  
Murray State University  
August 20, 1978

1. Policy on Executive Responsibilities of the President
2. Faculty Personnel/Payroll Items

A. Adjustments in Salary

<u>Name</u>	<u>Assignment</u>	<u>Change/Explanation</u>
May Boaz Simmons	Asst. Prof., Bus. Ed. & Adm. Mgt.	\$525.00 for July 1978 for Editor of Court Reporting Grant

B. Employment

<u>Name</u>	<u>Assignment</u>	<u>Salary</u>	<u>Effective</u>
Joan L. Maupin	Asst. Prof., Home Economics	\$17,500 (acad)	8-1-78
Evelyn R. Schneider	Asst. Prof., Lib. Sci.	15,050 (acad)	8-1-78

3. Staff Personnel/Payroll Items

A. Resignations, Retirements, Terminations

<u>Name</u>	<u>Assignment</u>	<u>Effective</u>
Rachel B. Greenfield	Lib. Asst. II, Library	8-11-78
Mary H. Johnson	Secretary, Dean's Office Environmental Science	8-31-78
Sandra S. Gallimore	Programmer/Analyst, Computing & Info. Systems	8-21-78
Martha F. Andrus	P-T Sec., Faculty Senate	7-28-78
Amy L. Fischbach	Clerk, Bookstore	7-31-78
Timothy R. Duncan	Custodian, Physical Plant	8-18-78
William A. Elkins	Custodian, Physical Plant	8-21-78
Jackie G. Lawrence	Custodian, Physical Plant	6-30-78
Stephen D. Turnbow	Laborer, Physical Plant	7-31-78
Ovie D. Ward	Custodian, Physical Plant	7-28-78
John A. McKee	Painter, Physical Plant	7-27-78
Alben B. Hopkins	Laborer, Physical Plant	8-04-78

## Staff - Resignations, Retirements, Terminations (Cont'd)

<u>Name</u>	<u>Assignment</u>	<u>Effective</u>
Daniel B. Parks	Seasonal Laborer, Phys. Plant	8-04-78
Fred Seavers III	Seasonal Laborer, Phys. Plant	8-04-78
Raymond Daley	Seasonal Laborer, Phys. Plant	8-04-78
Mary F. Vaughan	Counselor, Housing	8-05-78
John T. Bensing	Counselor, Housing	8-05-78
Cheryl B. Witherington	Dorm Receptionist, Housing	8-02-78
Sara L. Tate	Dorm Receptionist, Housing	8-02-78
Lynn Alexander	Dorm Receptionist, Housing	8-02-78
Sandi J. Orr	Secretary, Housing	8-04-78
Cindie Humphries	Staff Nurse, Student Health	8-04-78
Judith G. Dunn	Staff Nurse, Student Health	6-26-78

## B. Adjustments in Salary

<u>Name</u>	<u>Assignment</u>	<u>Change/Explanation</u>
Molly F. Ross	Secretary, Dean's Office Environmental Sciences	Salary from \$3.16 p/hr to \$3.72 p/hr effective 9-1-78; transfer within office with increased responsibilities
Linda K. Farley	Accountant, Business & Financial Services	From Secretary/Bookkeeper, MSU Foundation at \$9,009 p/yr to Accountant, Bus. and Fin. Services at \$13,000 p/yr effective 7-17-78

## C. Employment

<u>Name</u>	<u>Assignment</u>	<u>Salary</u>	<u>Effective</u>
Peggy O. Graves	Clerk, Student Fin. Aid	\$ 2.95 p/hr	7-01-78
Kathy L. Taylor	Clerk, Student Fin. Aid	2.95 p/hr	7-01-78
Rustin C. Gray	Seasonal Labor, Phys. Plant	2.30 p/hr	7-25-78
Kari L. Ballard	Secretary, Student Fin. Aid	3.16 p/hr	8-03-78
Meg B. Cammack	Counselor, Housing	300.00 p/mo	8-06-78
Lee A. Vinson	Counselor, Housing	300.00 p/mo	8-06-78
Sally Van Natter	General Food Service Worker	2.65 p/hr	8-14-78
Charles L. Hayden	Horse Herdsman, Farm	3.60 p/hr	7-31-78
Paula Theobald	Clerk, Music	2.95 p/hr	8-07-78
Laura Keller	Secretary, Real Estate Grant (part-time)	2.95 p/hr	7-27-78
Sandra Smoot	Secretary, Veterans Services (part-time)	3.16 p/hr	7-27-78
Kem McDowell	Forestry Aide, YACC	2.65 p/hr	7-27-78
John Hammat	Tutor Coord./Counselor Learning Center	9,200.00 (acad)	8-01-78
Allan William	Sub. Teacher, Ft. Campbell	30.00 p/day	7-01-78
Robert B. Miller	Sub. Teacher, Ft. Campbell	30.00 p/day	7-01-78
Patti J. Guerard	Sub. Teacher, Ft. Campbell	30.00 p/day	7-01-78

## D. Student Assistantships

<u>Name</u>	<u>Department</u>	<u>Semester Amount</u>	<u>Fall</u>	<u>Spring</u>
James A. Wright	Music	\$1,200	X	X
Julie A. Ford	Human Dev. & Learning	1,200	X	X
Susan P. Travis	Psychology	1,200	X	X
Nancy L. Thieret	Psychology	1,200	X	X
John D. Emerson	Psychology	1,200	X	X
Larry D. Kips	Psychology	1,200	X	X
James A. Surrency	Football	1,800	X	X
Thomas Pandolfi	Football	1,800	X	X
James Harmon	Learning Center	1,200	X	X
John Hunter	Learning Center	1,200	X	X
Nancy H. Kennedy	Learning Center	1,800	X	X
Vanessa K. Miller	Journalism & Radio-TV	1,200	X	

## Staff - Student Assistantships (Cont'd)

Name	Department	Semester	Fall	Spring
		Amount		
Diana K. Rinard	Home Economics	\$1,200	X	X
Keith L. Eades	English	1,200	X	X
Marsha Campbell	English	1,200	X	X
Ann Goodman	English	1,200	X	X
Keith V. Morgan	English	1,200	X	X
Teresa Rose	English	1,200	X	X
Michele Troutman	English	1,200	X	X

4. Amendment of Personnel Policy VI C

The present Policy VI C, "Employee Discipline," does not address specifically the seriousness of any absence from assigned work resulting from, or in support of, unauthorized work stoppage, illegal picketing, or striking activity. The proposed amendment clearly defines that such activity can result in employee termination. The proposed amendment is underlined. See attached policy.

5. Amendment of Personnel Policy II J

I recommend that the present Policy II J, "Termination and Layoffs," be amended to include explicit provisions for employee appeal of a termination notice. The proposed amendments are underlined. See attached policy.

6. Amendment of Personnel Policy IV A

I recommend that the present Policy IV A, "Vacation Leave," be amended to provide uniform vacation leave benefits for both exempt and non-exempt employees.

7. Executive Session for discussion of a personnel matter

## Supplemental Agenda

August 20, 1978

1. Construction of a new Sports Arena

I recommend that the Board of Regents officially authorize the planning and construction of a new Sports Arena for Murray State University. Such a facility was authorized by the Board approximately ten years ago, and the project proceeded through initial planning and the appointment of architects before the University asked that the project be shelved due to insufficient capital construction funds.

Now, with Governor Carroll's support and commitment, it is appropriate that the project be revived and architectural planning commence immediately.

The new Racer Sports Arena is projected to include a 12,500 seat facility for intercollegiate basketball and related facilities, a regulation-size natatorium and student recreation and intramural facilities.

Policy on Executive Responsibilities of the President, Adopted

Chairman Howard explained that he and Mr. Overby, University Attorney, had worked for some time on a statement of Executive Responsibilities of the President and presented the statement for the Board's consideration.

Following discussion, Dr. Matarazzo moved that the following amended Policy on Executive Responsibilities of the President be adopted:

WHEREAS, the Board of Regents is entrusted with the general power and responsibility in the governance of the University; and

WHEREAS, the President of the University, as the chief executive officer of the University, is delegated the authority and duty to supervise and direct the day to day activities of the University; and

WHEREAS, the President is further entrusted with the responsibility of making various recommendations to the Board of Regents as to both policy and administrative matters, and has the duty to report to the Board of Regents from time to time,

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Regents does delegate to the President of the University the right, power, and authority to implement the policies of the Board of Regents by rules and regulations not inconsistent therewith; and the President is further empowered, when not contrary to law or to established policy of the Board of Regents, to make rules and regulations for the governance of the University, PROVIDED, HOWEVER, that all matters pertaining to policy not yet established by the Board of Regents, shall, as soon as is reasonably convenient, be submitted to the Board, and PROVIDED, further, that in all matters pertaining to policy not yet established by the Board of Regents, the President shall consult with the Chairman of the Board of Regents (or the authorized representative of the Chairman of the Board of Regents when the Chairman is not available) before taking any action as to policy not yet established by the Board. Nothing herein shall be construed so as to give to the President of the University power or authority to act contrary to a policy established by the Board of Regents and/or in excess of authority permitted by law, or so as to constitute the exercise of authority not capable of being delegated.

Mr. Carneal seconded and the motion carried.

Faculty Personnel/Payroll Items, Approved

President Curris reviewed the faculty personnel/payroll items listed in Item 2 A and B of the agenda.

In response to Mr. Mitchell's question as to how Murray State stands on faculty salaries compared to other universities, Dr. Curris stated that our average faculty salary is comparable to the other regional universities in the State, that at last accounting Western was above Eastern and Murray by approximately \$200 per year and that Morehead was a slightly less than Murray; and that our salary increases this year were about the same as Eastern's and a little more than Western's.

Miss Boles moved that the Board approve the faculty personnel/payroll items listed in Item 2 A and B of the agenda. Mr. Christopher seconded and the following voted: Miss Boles, aye; Mr. Carneal, aye; Mr. Christopher, aye; Mr. Long, aye; Mr. Mitchell, aye; Dr. Settle, aye; and Dr. Howard, aye.

Staff Personnel/Payroll Items, Approved

Mr. Mitchell moved that the Board approve the staff personnel/payroll items listed in Item 3 A-D of the agenda. Mr. Long seconded and the following voted: Miss Boles, aye; Mr. Carneal, aye; Mr. Christopher, aye; Mr. Long, aye; Dr. Matarazzo, aye; Mr. Mitchell, aye; Dr. Settle, aye; and Dr. Howard, aye.

Personnel Policy VI C, "Employee Discipline;" Personnel Policy II J, "Terminations and Layoffs;" and Personnel Policy IV A, "Vacation Leave;" Amended

Following discussion, Mr. Carneal moved that the following Personnel Policy Number VI C, Employee Discipline; Personnel Policy Number II J, Terminations and Layoffs; and Personnel Policy Number IV A, Vacation Leave as amended be adopted:

POLICY NUMBER  
VI C

EMPLOYEE DISCIPLINE

1. The University wishes to be fair and uniform in its handling of employees. Any discipline administered by a supervisor should be commensurate with the offense committed.
2. Supervisors are expected to be patient, fair, and tolerant in administering University policies; however, willful and inexcusable violations of policy will be dealt with firmly under uniform guidelines which apply equally to all departments and all employees.

3. The following guidelines for disciplinary action provide for:
- Written notice to an employee that a continuance of his improper action will bring about further disciplinary action or possible dismissal.
  - A report in writing by the supervisor of all warnings and disciplinary action taken. The employee shall be given a copy of each written report and the report shall be filed in the employee's personnel file.
4. The following examples of offenses and suggested guidelines are not intended to be all inclusive, and depending on the specific circumstances may require action different from those listed below.

	W - Written Warning	5/S - 5 Day Suspension		
	3/S - 3 Day Suspension	T - Termination		
<u>OFFENSE</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
a. Overstaying leave of absence, vacation, or sick leave without notification directly from the employee except in an emergency		T		
b. Deliberate falsification of application		T		
c. Theft or destruction of University property		T		
d. Immoral or indecent acts on University property		T		
e. Absence from assigned work resulting from, or in support of, unauthorized work stoppage, illegal picketing, or striking activity**		T		
f. Possession of firearms or explosives on University property		T		
g. Intentional falsifying of University records		5/S**	T	
h. Punching time card for another employee or having own card punched by another employee		5/S**	T	
i. Reporting to work under the influence of alcohol or drugs or drinking or using drugs on duty		5/S**	T	
j. Insubordination, restricting output	W	5/S**	T	
k. Willful violation of University rules, regulation, or policy	W	5/S**	T	
l. Unexcused absenteeism	W	5/S**	T	
m. Sleeping on duty	W	5/S**	T	
n. Gambling or provoking a fight on University premises	W	5/S**	T	
o. Making false or malicious statements detrimental to the University or to other employees	W	3/S***	5/S**	T
p. Tardiness - unexcusable	W	3/S***	5/S**	T
q. Neglectful failure to punch own time card or leaving workplace without permission	W	3/S***	5/S**	T

\*The President is authorized to take whatever action he deems prudent and necessary to implement disciplinary action resulting from this offense.

\*\*Up to 5 days

\*\*\*Up to 3 days

<u>OFFENSE</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
r. Loafing on University time	W	3/S***	5/S**	T
s. Carelessness affecting personal safety or safety of other employees or neglect and mishandling of equipment	W	3/S***	5/S**	T
t. Malicious use of profane or abusive language	W	3/S***	5/S**	T

5. The above action will accrue for a consecutive 12-month period from the first offense. Beginning with the 13th month the action will move back one step for the appropriate offense.
6. Receipt of any combination of five of the preceding offenses within 12 consecutive months will result in the employee's automatic discharge.
7. The supervisor must complete an Employee Disciplinary Report for each disciplinary action taken. (See Procedure #VI C)

POLICY NUMBER  
II J

TERMINATIONS AND LAYOFFS

1. Involuntary Termination

If any employee's performance of duty or personal conduct is unsatisfactory, appropriate action shall be taken toward involuntary termination of that employee from the University. Employees may be subject to termination for reasons of:

a. For Cause Due to Employee's Action:

- (1) Inefficiency: An employee who demonstrates inability to perform his job satisfactorily, is excessively (Refer to Policy VI C) absent from the job without justification, or exhibits lack of interest, carelessness, or other traits resulting in failure to meet the standards established for his position, may be separated from employment depending upon the seriousness of the offense. When possible, an employee who has completed the probationary period shall be given at least two weeks' advance notice by his supervisor prior to termination. (Policy VI C delineates the causes for termination).
- (2) Misconduct: An employee who conducts himself in a manner which reflects unfavorably upon the University or his department will be subject to disciplinary proceedings which may be cause for termination depending upon the seriousness of the offense. (Policy VI C delineates the causes for termination).

Note: Employees wishing to appeal termination shall file the appeal in writing with the Director of Personnel Services within ten (10) working days of receipt of notice of termination. Following the filing of the appeal, the Director of Personnel Services shall set a date for a hearing of the appeal. The hearing date shall not be set sooner than (10) working days from the date the appeal is filed. Forms for the filing of the appeals can be obtained from Personnel Services.

b. Reduction of Forces:

- (1) The department chairman or administrative director may lay off an employee because of lack of work funds, abolition of the position, or other reasons requiring a general reorganization of the departmental staff.
- (2) The selection of employees to be laid off within the general classification of work and within the department affected will be determined by the department chairman or administrative director after giving due consideration to:
  - (a) Work performance
  - (b) Seniority in length of service

\*\*Up to 5 days  
\*\*\*Up to 3 days

- (3) The employee shall be given at least two weeks' notice or be paid two weeks' pay in lieu of notice in all cases involving a reduction in forces.

2. Layoff

- a. Temporary Layoff: A layoff not exceeding four months will be classified a temporary layoff and will be reported as leave without pay on Personnel Form #3 (Notice of Personnel Action).
- b. Permanent Layoff: A layoff anticipated to exceed four months will be considered a permanent reduction of force, and the employee will be separated with loss of all service benefits. However, if the employee is reinstated or reemployed within a period of 12 months following the date of separation, any unused sick leave accumulated prior to separation will be reinstated.

POLICY NUMBER  
IV A

VACATION LEAVE

1. The vacation leave policy is intended to provide the employee an opportunity for the proper pursuit of rest, recreation, and absence from the cares and problems of his job and to return to work rested and able to provide more vigorous service to the University.
2. Permanent employees, except faculty members on academic year contracts, who have completed six months of employment are eligible for vacation benefits.
3. Effective July 1, 1978, exempt and non-exempt employees shall be eligible for:
  - a. ten (10) days vacation leave per year during each of the first four years of service;
  - b. fifteen (15) days vacation leave per year during five through fourteen years of service; and
  - c. twenty (20) days vacation leave per year beginning with the fifteenth year for the duration of their employment.
  - d. Employees may not exceed  $1\frac{1}{2}$  times their annual allowable maximum at the end of each fiscal year. However, employees' accumulated vacation days may exceed  $1\frac{1}{2}$  times their annual allowable maximum during the fiscal year.
4. Faculty members on a 12-month contract will accumulate vacation leave during a summer professional improvement leave or a sabbatical leave.
5. Employees who were terminated involuntarily due to reductions in force or for reasons beyond their control will be given credit for previous years of service in determining their total years of service.
6. Vacation leave shall not be granted to employees in excess of that earned prior to the starting date of vacation leave.
7. Absence due to illness, injury, or disability in excess of that leave authorized for such purposes may at the request of the employee and with the approval of the department chairman or administrative director be charged against vacation leave.
8. Accumulated vacation leave shall be granted by the department chairman or administrative director in accordance with operating requirements and, insofar as practicable, with the requests of the employee. If more requests are received than can be granted at one time, the department chairman or administrative director should consider scheduling vacations according to seniority in the event that vacations are requested for the same date. Otherwise, the first person making request should be given preference. All vacation leaves are subject to cancellation as deemed necessary to insure that the University continues to function in an educationally sound and efficient manner.
9. Employees may not use accumulated vacation without prior approval of their supervisor.
10. Employees are charged with vacation leave for absences only on days which they would otherwise work and receive pay. Should a University holiday be observed on one of the employee's regularly scheduled workdays while he is on vacation, he shall be entitled to an additional day of vacation leave.

11. This vacation leave policy is over and above the holidays authorized by the University. Days taken between semesters shall be counted against vacation entitlement.
12. An employee who is transferred or otherwise changed from the jurisdiction of one department to another shall retain his accumulated vacation leave in the new department.
13. Before a non-exempt employee may be placed on leave of absence without pay in excess of 30 working days, he must have used or have been paid for any accumulated vacation leave.
14. An exempt employee who requests a leave of absence must use all accumulated vacation prior to the effective date of such leave or forfeit his accumulated vacation. In unusual circumstances this requirement may be waived by the President when the leave of absence is for the convenience or benefit of the University.

Mr. Mitchell seconded and the following voted: Miss Boles, aye; Mr. Carneal, aye; Mr. Christopher, aye; Mr. Long, aye; Dr. Matarazzo, no; Mr. Mitchell, aye; Dr. Settle, aye; and Dr. Howard, aye. Motion carried.

#### Construction of a new Sports Arena, Approved

President Curris reviewed the recommendation stated in Item 1 of the supplemental agenda.

Mr. Christopher moved that the Board authorize the planning and construction of a new sports arena to include 12,500 seat facility for intercollegiate basketball and related facilities, a regulation-size natatorium, and student recreation and intramural facilities for Murray State University. Dr. Matarazzo seconded.

In response to questions, Dr. Curris stated that two possible locations are one north and the other south of the parking associated with the stadium in order to utilize the parking area of the stadium and to have intercollegiate athletics together, that the University will recommend a location, but that the determination of location will be made by the Executive Department for Administration and Finance in Frankfort.

Upon call for the question, the following voted: Miss Boles, aye; Mr. Carneal, aye; Mr. Christopher, aye; Mr. Long, aye; Dr. Matarazzo, aye; Mr. Mitchell, aye; Dr. Settle, aye; and Dr. Howard, aye.

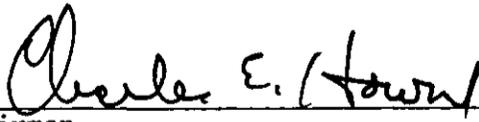
#### Executive Session

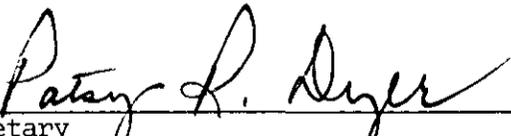
After a short recess, the Board convened in executive session to discuss an individual personnel matter.

#### Meeting Adjourned

The executive session ended at 4:30 p.m., and the meeting adjourned.

It is noted that the next scheduled meeting will be Saturday, October 7.

  
 \_\_\_\_\_  
 Chairman

  
 \_\_\_\_\_  
 Secretary