

Minutes of the Meeting of the Board of Trustees, University of Kentucky, April 3, 1945.

The Board of Trustees of the University of Kentucky met in the President's Office at 10:15 a.m., Tuesday, April 3, 1945. The following members were present; Governor S. S. Willis, Judge R. C. Stoll, Mrs. Paul G. Blazer, John Fred Williams, Superintendent of Public Instruction, Horace Cleveland, J. C. Everett, H. D. Palmore, R. P. Hobson, Robert Tway, Thomas Cutler, Grover Creech, Harper Gatton and Judge Harry W. Walters. President H. L. Donovan and Comptroller Frank D. Peterson, Secretary of the Board, were present.

A. Petition of Students Submitted to Governor Willis.

President Donovan read a copy of the petition of certain students in attendance at the University of Kentucky which had been submitted to Governor Willis on April 2, 1945, asking for a public hearing on the Aeronautical Research Laboratory, which was originally given to the University by Axel Wenner-Gren. Governor Willis then read the letter which was submitted by the petitioners with the petition.

The official minutes of the Board of Trustees kept by the Secretary were then produced for the past five years and Judge Stoll read aloud to the members of the Board each reference in the minutes of this period to the Wenner-Gren Aeronautical Research Laboratory or the Aeronautical Research Laboratory, which minutes concerned the receipt of the gift, the construction of the building, and the operation of the Laboratory, giving to the Board and the Governor the complete record relating to the Laboratory from its original inception to date. The Governor requested a complete copy of the minutes sent to his office, a statement as to profit or loss from the operation of the Laboratory, the number of men taught in the Laboratory, and the soldiers trained at the University from 1942 to date.

B. Architects' Plans--Men's Dormitory, Women's Dormitory, and Auditorium-Field House.

President Donovan reported to the Board that the architects who have been employed by the Board to design plans and make specifications for certain buildings were available, and would be pleased to show to members of the Board the preliminary plans of each building.

John F. Wilson, architect employed to plan and supervise the construction of the Men's Dormitory, was invited to come before the Board. Mr. Wilson presented his plan in detail and answered various questions about the proposed plan, after which he withdrew from the meeting.

Messrs. L. K. Frankel and John J. Curtis, members of the firm known as Frankel & Curtis, architects employed to plan and supervise the construction of the Women's Dormitory and a food unit for the Women's Dormitories, were invited to come before the Board. Mr. Curtis presented the plans for the dormitory and the food unit to serve all existing women's dormitories. He showed a sketch of the existing dormitories and the proposed new dormitory, showing the relationship of each to the plot of ground available for such dormitories. After going through the plans with members of the Board in detail, and answering various questions and explaining different features of the plans, he and Mr. Frankel withdrew from the meeting.

Mr. John T. Gillig and his associate, Mr. Ernst Johnson, architects employed to plan and supervise the construction of the Auditorium-Field House, were invited to come before the Board.

Mr. Gillig presented briefly sketches of plans which were thought to be desirable, but had been changed, due to the estimated cost involved. He then presented the preliminary plans of the proposed Auditorium and basketball pavilion, including a swimming pool. The Auditorium part of the building was estimated to seat between 4,000 and 5,000 people, depending upon the location of the stage, and the seating capacity of the basketball pavilion would be approximately 12,000. He detailed and explained auxiliary features necessary to a building of this type. Various features of the memorial part of the building for Kentucky heroes of World War II were explained as detailed in the plans. Questions were asked and answered, after which Messrs. Gillig and Johnson withdrew from the meeting.

The Board discussed the plans of the various buildings which had been presented to them and explained in detail, and took the following action:

* * * * *

1. (a) On motion duly made, seconded and carried, Mr. John F. Wilson is directed to complete plans and specifications for the Men's Dormitory in accordance with the preliminary plans which have been shown to members of the Board.
- (b) The firm of Frankel and Curtis is directed to complete plans and specifications for the Women's Dormitory and the Food Service Unit, consisting of one kitchen and preparation rooms and dining rooms, adequate to care for all women students housed in existing dormitories and to be housed in the new dormitory. The firm is to consult with the administration from time to time as to details and special arrangements required of buildings of these types.

- (c) John T. Gillig and his associates, Ernst Johnson and Hugh Meriwether, are directed to complete plans and specifications for the Auditorium and Basketball Pavilion (Field House), including swimming pool, in accordance with the plan submitted to the Board of Trustees. It is further directed that the architects consult with the administration as to details and desirable features of the plans.

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C. Approval of Minutes.

The minutes of the Board of Trustees of January 19, 1945, and the minutes of the Executive Committee of February 17 and March 23, 1945, were approved as published.

D. Recess for Luncheon.

The Board recessed at 1:15 p.m. for luncheon in the Student Union Building, and left immediately for that building. Due to the press of time, the remaining business on the agenda was presented to the Board during their luncheon, and is as follows:

E. Tennessee Valley Authority Contract Relating to Coal Carbonization.

President Donovan presented contract between Tennessee Valley Authority and the University of Kentucky relating to coal carbonization.

TENNESSEE VALLEY AUTHORITY
Knoxville, Tennessee

March 23, 1945

Professor C. S. Crouse, Head
Department of Mining and Metallurgical Engineering
University of Kentucky
Lexington, Kentucky

Dear Professor Crouse:

I am sending you herewith the original and three copies of a proposed contract between the University of Kentucky and

the Authority covering work on the low temperature carbonization of coal. It is understood that you will supply duplicate progress reports monthly and more complete reports evaluating the work quarterly. It is further understood that the work covered by the contract will be undertaken in line with your letter of March 22.

After proper signature is affixed to all copies of this contract, please return them to this office. They will then be forwarded to our Management for Board approval. When they are finally approved by the Board of the Authority, a copy will be returned to you for your files.

Very truly yours,

TENNESSEE VALLEY AUTHORITY

(Signed) R. Brooks Taylor, Chief
Regional Products Research
Division
Commerce Department

CONTRACT TV _____

CONTRACT (1945)

Between

TENNESSEE VALLEY AUTHORITY

And

UNIVERSITY OF KENTUCKY

Relating to

COAL CARBONIZATION

THIS AGREEMENT is made and entered into as of the first day of March, 1945, between TENNESSEE VALLEY AUTHORITY (hereinafter called "Authority") and UNIVERSITY OF KENTUCKY (hereinafter called "Kentucky").

W I T N E S S E T H:

In consideration of the mutual covenants, agreements and undertakings, the parties hereto agree as follows:

1. Authority is engaged in work concerned with the improvement of navigation and with the control of water in river channels and on the land and other purposes under the Tennessee Valley Authority Act of 1933, as amended, and said work includes test-demonstration projects relating thereto.

Authority desires to cooperate with Kentucky through the respective departments thereof in the conduct of certain test-demonstrations on coal carbonization.

2. Kentucky, through the respective departments thereof, such as the College of Engineering, Department of Mining and Metallurgical Engineering, can provide facilities for the conduct of such test-demonstrations and desires to cooperate with the Authority on such work as may require the use of such facilities.

3. During the term March 1, 1945, to June 30, 1945, inclusive, the Department of Mining and Metallurgical Engineering of Kentucky shall conduct certain carbonization tests on coals produced in the Tennessee Valley and contiguous areas, as requested by the Authority from time to time during the term of this agreement. The procedure for the performance of this project shall be approved in advance by authorized representatives of the parties and may be changed at any time by the agreement of such representatives.

4. Kentucky shall procure and furnish the facilities and services required and conduct the work provided for in Article 3 hereof and shall disburse such sums of money as may be required to procure and pay for said facilities and services.

5. On or before the fifteenth day of each calendar month commencing with the month of April, 1945, and ending with the month of July, 1945, Kentucky shall prepare and submit to the Authority a progress report covering the work performed under this agreement during the preceding calendar month. In addition, Kentucky shall prepare and submit to Authority not later than August 1, 1945, a comprehensive report covering all work performed under this agreement for the preceding fiscal year ending June 30, 1945, including a summary of said work and conclusions relative thereto.

Kentucky shall keep its books, records and accounts pertaining to the conduct of the work provided for in Article 3 hereof in form satisfactory to Authority, and Authority shall at all times during the usual hours of business have access to, and be permitted to examine, all files, books, records, and accounts of Kentucky pertaining to the conduct of said work, for the purpose of verifying the statements of expenditures of Kentucky in connection therewith and evaluating the work performed.

6. Authority shall reimburse Kentucky for expenditures for supervisory services, direct services, labor, telephone and telegraph expenses, travel expenses, per diem in lieu of subsistence, shipping expenses, and supplies and materials chargeable to the conduct of the work provided for in Article 3 hereof; provided, however, that Authority shall not in any event be obligated to reimburse Kentucky for any such expenditures on account of expenses incurred during the fiscal year ending June 30, 1945, in excess of the aggregate amount of Three Thousand Dollars (\$3,000); provided, further, that Authority shall not in any event be obligated to reimburse Kentucky for any such expenditures on account of expenses incurred after June 30, 1945, howsoever caused; provided, further, that Authority shall not in any event be obligated to reimburse Kentucky for expenditures on account of travel expenses on any single trip in excess of the amount which would be allowable under Travel Regulations of Authority.

In order to effectuate the provisions of this agreement, Kentucky shall, not later than the fifteenth day of each calendar month commencing with the month of April, 1945, submit to Authority a properly certified statement of expenditures, in triplicate, in form approved by Authority, showing such expenditures made during the preceding calendar month, together with approved bills in support thereof. Subject to the limitations and conditions of this article, Authority shall reimburse Kentucky for such expenditures upon the receipt of such statements.

7. In matters relating to performance of this agreement, the Chief of the Regional Products Research Division, Commerce Department, shall represent Authority and the Head of the Department of Mining and Metallurgical Engineering shall represent Kentucky; provided, however, that either party shall have the right to notify the other party in writing of any change of designated representative.

8. No assignment of this agreement or any interest therein shall be made by either party without the written consent of the other party.

9. No member of, or delegate to, Congress, or Resident Commissioner, or any employee of Authority shall be admitted to any share or part of this agreement or to any benefit to arise therefrom.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their representatives therunto duly authorized as of the day and year first above written.

ATTEST:

Assistant Secretary

ATTEST:

(Signed) Frank D. Peterson
Secretary

TENNESSEE VALLEY AUTHORITY

By _____
General Manager

UNIVERSITY OF KENTUCKY

By (Signed) H. L. Donovan
President

It was further explained that this contract would operate in connection with our research in coal and would be under the supervision of Professor C. S. Crouse, head of the Department of Mining and Metallurgical Engineering at the University. The Board took the following action:

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2. Upon motion duly made, seconded and carried, the contract is approved and the President is authorized to execute same.

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F. Resolutions of Kentucky Press Association.

President Donovan presented to the Board resolutions of the Kentucky Press Association, expressing confidence in the present administration of the University of Kentucky.

KENTUCKY PRESS ASSOCIATION

March 19, 1945

President H. L. Donovan
University of Kentucky
Lexington, Kentucky

Dear President Donovan:

It is with personal pleasure that I enclose two resolutions that were unanimously passed on the Saturday meeting of the Executive Committee of the Kentucky Press Association.

We request that these resolutions be brought to the attention of the Board of Trustees at your next meeting.

I am also enclosing a mimeographed copy of my annual report to the membership for your perusal and information. Please note that, at the last audit of advertising business distributed to Kentucky (and 41 in Southern Indiana) newspapers for the year 1944, the amount was in excess of \$76,000. This office has indeed grown in stature and operation.

With personal thanks for your own interest and cooperation in the Kentucky Press Association and the newspapers of the state, I am

Sincerely yours,

(Signed) Victor R. Portmann
Secretary-Manager

RESOLUTION

By unanimous action of the Executive Committee of the Kentucky Press Association, in session at the Lafayette Hotel, Lexington, Saturday, March 17, the following resolution was passed and ordered spread on the minutes of the Association, and a certified copy to be sent to President H. L. Donovan, University of Kentucky, Lexington.

Resolved, that due to the fact that the administration of the University of Kentucky has been under fire in the courts, the Executive Committee of the Kentucky Press Association wishes to express its confidence in the present administration and extends its best wishes to President H. L. Donovan and the Board of Trustees.

I hereby certify that the above Resolution has been spread on the minutes of this Association and a copy forwarded to President H.L. Donovan.

Attest:

(Signed) Victor R. Portmann
Secretary-Manager.

March 19, 1945.

RESOLUTION

By unanimous action of the Executive Committee of the Kentucky Press Association, in session at the Lafayette Hotel, Lexington, Saturday, March 17, the following Resolution was passed and ordered spread on the minutes of the Association, and a certified copy to be sent to President H. L. Donovan, University of Kentucky, Lexington.

Whereas President H. L. Donovan and the Board of Trustees of the University of Kentucky have demonstrated their interest in the press of the state through the establishment of our Central Office at the University, and have permitted Secretary Victor R. Portmann, assistant professor of journalism at the University, to help the association, therefore

Be It Resolved, that the Executive Committee of the Kentucky Press Association, for itself and for the members of the Association, hereby extends its thanks and appreciation to President Donovan and the Board of Trustees;

Be It Further Resolved, that this Executive Committee endorses the plan for the erection of a journalism building on the campus of the University when materials are available, and for the advancement of the University's Department of Journalism, one of the 34 Class-A units of instruction in journalism in the nation, to the status of School of Journalism. We extend our appreciation to President Donovan for his far-seeing and constructive efforts toward these ends.

I hereby certify that the above Resolution has been spread on the minutes of this Association and a copy forwarded to President H. L. Donovan.

Attest: (Signed) Victor R. Portmann
Secretary-Manager

March 19, 1945.

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March 20, 1945

Mr. Victor R. Portmann
University of Kentucky

My dear Mr. Portmann:

Let me thank you for your letter of March 19 enclosing resolutions adopted by the Kentucky Press Association.

When I opened my paper Sunday morning and saw what the Kentucky Press Association had done I was greatly thrilled by this expression of their support. I had no idea that anything of this kind was under consideration and it came to me completely as a surprise. I am certain that the members of the Board of Trustees will also feel great gratitude to the Kentucky Press Association for the loyal support which it has given the University.

The only way for us to build a great university of the first class in Kentucky is to have the united support of the press of the state and of the citizenry generally. I think there is a great future ahead of the University because we are getting such fine support, especially from men who have charge of our state papers. This support stimulates me greatly and makes me feel that our efforts are worthwhile.

Let me congratulate you on the good work you are doing with the Press Association. We are delighted to have through you such fine and close connections with this organization.

Cordially yours,

(Signed) H.L. Donovan
President

The Board heard the reading of the resolutions and ordered that they be received and spread upon the minutes.

G. Gifts:

From Mr. Walter J. Salmon.
From Mrs. Annie C. Neely.

President Donovan presented two gifts with the following correspondence, and recommended that they be received:

March 22, 1945

President H. L. Donovan
University of Kentucky

Dear President Donovan:

Enclosed is check for \$100.00, contribution by Mr. Walter J. Salmon of Mereworth Farm, which, as he states, is "in appreciation of some information that we have been kindly given from time to time by the Experiment Station". This generous and spontaneous gift for carrying on the work of the Experiment Station is most heartening. I wish to recommend that it be placed in trust for the use of the Experiment Station, for such work as the director may deem desirable.

Sincerely yours,

(Signed) Thomas Cooper
Dean and Director

March 28, 1945

Dean Thomas Cooper
University of Kentucky

My dear Dean Cooper:

This letter is to acknowledge receipt of the check for \$100 from Mr. Walter J. Salmon, which he gave in appreciation of information that had been furnished him by the Experiment Station. I shall ask the Board of Trustees to accept this gift to be used for the work of the Experiment Station. The Comptroller will place it in trust to the credit of the Experiment Station.

I know you deeply appreciate Mr. Salmon's gift as it is a very effective way of demonstrating his appreciation for the good work the Experiment Station is doing.

Cordially yours,

(Signed) H. L. Donovan
President.

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April 2, 1945

Mr. Frank D. Peterson, Comptroller
University of Kentucky

My dear Mr. Peterson:

I enclose herewith check from Mrs. Annie C. Neely for fifty dollars, made payable to the "Graduate Reference Reading Room," a gift to the library, as "an expression of sincere appreciation for the courtesy shown me by the library". Please credit this amount to the library in its restricted fund. We hope to use it for the Graduate Reading Room in some special way.

Sincerely yours

(Signed) Margaret I. King
Librarian

April 2, 1945

President H. L. Donovan
University of Kentucky

My dear President Donovan:

I attach hereto a check in the amount of fifty dollars from Mrs. Annie C. Neely, with letter from Miss Margaret I. King Librarian. Since this is a gift, I believe it should be submitted to the Board for acceptance and record.

Very truly yours,

(Signed) Frank D. Peterson
Comptroller.

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3. On motion duly made, seconded and carried, the above gifts are ordered received, and the President is directed to write a letter of appreciation of the University to each of the donors.

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H. Honorary Degrees.

President Donovan submitted for consideration of the Board the nominations of the University Faculty of persons for honorary degrees. The persons and the honorary degrees were recommended by the Graduate Faculty. The Board received the recommendation of the University Faculty and the Graduate Faculty, and upon motion, seconded and carried, authorized the President to confer upon each person the honorary degree indicated. It was further ordered that the list be filed with the Secretary of the Board and that the names of persons recommended for honorary degrees and the degrees authorized be recorded in the minutes of the June meeting of the Board, and that the names also be published along with the list of regular graduates of the University at the June Commencement.

I. Establishment of an Award to Members of the University Staff for Meritorious Services.

President Donovan presented a recommendation of the Graduate Faculty, which had been approved by the University Faculty, to permit the University Faculty to have the privilege of recommending to the Board of Trustees of the University each year one member of

the University Staff for an award for meritorious service. He read the following letter, which contained the recommendation:

April 3, 1945

President H. L. Donovan
University of Kentucky

Dear President Donovan:

The University Faculty, at its meeting April 2, approved the following proposal from the Committee on Honorary Degrees of the Graduate Faculty:

"The Committee on Honorary Degrees recommends that the University Faculty have the privilege of recommending to the Board of Trustees of the University each year one member of the University staff for an award for meritorious service, this award when approved by the Board of Trustees to be presented by the President of the University at the June commencement."

The University Faculty requests the approval of the Board of Trustees of the recommendation as stated above.

Sincerely,

(Signed) Leo M. Chamberlain
Secretary of the
University Faculty

The members of the Board discussed the nature and purpose of the proposed award and took the following action:

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4. On motion duly made, seconded and carried, the University Faculty shall have the privilege of recommending to the Board of Trustees of the University each year one member of the University staff for an award for meritorious service, this award, when approved by the Board of Trustees, to be presented by the President of the University at the June Commencement.

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J. Recommendation of the University Faculty for Meritorious Service Award.

President Donovan submitted the recommendation of the University Faculty concerning an award for meritorious service to one member of the University staff at the June Commencement. He read the recommendation of the faculty and recommended that same be authorized, and that the recommendation be filed with the Secretary of the Board, to be recorded in the minutes of the June meeting. He further recommended that the name of the recipient of the first award be published in June along with the regular list of graduates and those to receive honorary degrees.

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- 5. Upon motion duly made, seconded and carried, the recommendation of the University Faculty, concurred in by President Donovan, is authorized. The name of the recipient is ordered filed with the Secretary, published at the usual time, and recorded in the minutes of the June meeting of the Board.

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K. Army Contract for February-March-April Quarter.

President Donovan submitted contract with the Government for housing and messing of soldiers stationed on the campus, for the months of February, March and April, 1945, and stated that it was similar to contracts that have been approved from time to time. The Board took the following action:

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- 6. Upon motion made, seconded and carried, the contract is approved and the President is authorized to sign same on behalf of the University of Kentucky.

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L. Modification "A", Supplemental Agreement, of Contract No. 33-088 (SC V)119.

President Donovan submitted Modification "A", Supplemental Agreement, of Contract No. 33-088 (SC V) 119, which he explained was a settlement with the Government for training soldiers during the months of November and December, 1944, and January, 1945, and recommended its approval. The Board took the following action:

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7. Upon motion, duly made, seconded and approved, the settlement recommended and designated above is approved and the President is authorized to file same.

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M. Liability Insurance on Trucks.

The question of carrying personal and property liability insurance on trucks owned by the University was raised at the meeting of the Executive Committee on March 23, 1945, and the Comptroller was requested to ascertain the cost of carrying liability insurance on all trucks owned by the University, and to report to the Board of Trustees at this meeting. The Comptroller reported that he had received responses from three of the insurance companies which had been asked to submit proposals for liability insurance on the twenty-three units owned by the University, with coverage of five and ten thousand dollars and ten and twenty thousand dollars public liability. The three proposals were as follows:

National Surety Corporation	\$355.17 on \$5,000 and \$10,000 policies
Fidelity & Casualty Co. of N.Y.	427.73 on \$5,000 and \$10,000 policies
Celina Mutual Casualty Company	544.36 on \$5,000 and \$10,000 policies.

The Board discussed the question of the University's carrying its own risk, and the premium involved and took the following action:

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8. Motion was made, seconded and carried that the Comptroller be authorized to carry public liability insurance in the amount of ten-twenty thousand dollars and property damage in the amount of five thousand dollars on the twenty-three units (trucks) owned by the University of Kentucky, with the National Surety Corporation,

through its agent, the Carpenter-Warren Insurance Company of Lexington, Kentucky. The various departments who use the trucks are to be inter-account billed on a pro-rata cost basis for the premium involved.

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N. Fees for Veterans under Section 164.480, Ky. Rev.Stat.

The question of permitting World War II veterans, who claim free admission to the University under Section 164.480, Ky. Rev.Stat.1944, was again taken up by members of the Board of Trustees. The Kentucky Statutes with reference to veterans of the present war are not clear. Some of the problems may be indicated by the following questions:

1. What is the meaning of "course" in the following: "...entitled to a free scholarship in any state higher educational institution that he chooses for a period required for the completion of the course of study selected by him."

- a. If he enters as a freshman, is he still pursuing a "course of study selected by him" when he works on the graduate level toward a Ph.D. degree?
- b. Has he completed "the course of study" when he obtains his first degree?
- c. If he pursues the occupational objective of engineering for two quarters and then pursues the objective of industrial management, is "the course of study" the same?
- d. If he takes English, physics, psychology and mathematics the first quarter, and English, history, psychology, and zoology the second quarter, is he changing his course of study?

2. Assuming the student "chooses...a course of study", does he forfeit the benefits of these statutes if he later, prior to the completion of the first "course of study", selects another "course of study"?

3. Is there a limit on the number of years a student may pursue a "course of study" without "completion" occurring?

4. What is the meaning of....."Provided, however, that if the Federal Government provides for the education of veterans.....then this section shall not apply to such veterans"?

- a. Public Law 346 provides certain educational privileges for veterans as a class. This being true, does it follow that the educational privileges provided in the Kentucky Revised Statutes are withdrawn?

- b. Does it mean that those veterans declared ineligible for the privileges under Public Law 346, if residents of Kentucky at the time of enlistment are entitled to the educational privileges provided for in the Kentucky Revised Statutes?
 - c. If a veteran refuses aid under Public Law 346 because a financial loss may be sustained in the long run, is he eligible for the state benefits?
 - d. The extent of the educational privileges allowed under Public Law 346 is related to the length of active service. After a veteran has secured all the benefits under this law, is he entitled to the state benefits? For example, a veteran may be entitled to fifteen months of education under Public Law 346. After the completion of these fifteen months, is he entitled to state benefits?
5. What is meant by a "veteran"?
- a. Is a student holding an honorable discharge from the Army Air Corps Reserve a veteran?
 - b. From the ERC?
 - c. From the ASTP?
 - d. Is a student who holds an honorable discharge with 0 days of service, a "veteran"?

After discussion of the questions involved, the Board, in order to protect the rights of the veterans and in order to relieve the administration of the University from liability, took the following action:

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9. Upon motion duly made, seconded and carried, the President of the University is authorized to take the necessary steps towards getting from the Courts a declaratory judgment on Section 164.480 Ky.Rev.Stat., clarifying all questions above presented, and any other questions that might hereafter appear. The Executive Committee of the Board is requested to work out the details necessary to institute legal proceedings for declaratory judgment of the questions involved.

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0. Adjournment.

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10. Upon motion duly made, seconded and carried, the Executive Committee adjourned at 2:50 p.m.

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Frank D. Peterson
Secretary, Executive Com-
mittee, Board of Trustees.