Minutes of the regular quarterly meeting of the Board of Trustees of the University of Kentucky for Tuesday, September 22, 1931.

The Board of Trustees of the University of Kentucky met in regular quarterly session at the University on Tuesday, September 22, 1931. The following members were present: Judge Richard C. Stoll, E. B. Webb, W. W. Wash, Governor Flem D. Sampson, Louis Hillenmeyer, James Park, and Robert G. Gordon. Meeting with the Board were Frank L. McVey, President of the University, and Wellington Patrick, Secretary of the Board.

The minutes of the meeting of the Board of Trustees for June were approved as published. The minutes of the Executive Committee for July were approved as published. (No other meetings have been held since the last meeting of the Board in June.)

1. Alumni Election. Nominations for the election of an Alumni member to the Board of Trustees were received in accordance with the law. A committee from the Alumni of the University, consisting of Professor L. K. Frankel, Miss Marguerite McLaughlin, and Mr. Wayland Rhoads, was present and assisted in tabulating the ballots. The ballots were opened in accordance with the regulations and tabulated, and the following persons received the highest number of votes:

1.	E. B.	Webb	20
2.	Cliff	Thompson, Jr	18
3.	Dr. G	eorge Wilson	17
4.	L. K.	Frankel	16
5.	I. J.	Miller	13
6.	W. H.	Grady	12

These were on motion declared nominated and the Secretary was directed to proceed with the election as provided in the Regulations.

2. Report of the Business Agent. The report of the Business Agent was received and ordered incorporated in the Minutes. The report was as follows:

EXHIBIT "B"

Statement of Income and Expenditures Month of August, 1931

	Previously Reported	Current Month	Fiscal Year <u>To Date</u>
General Fund Income Federal Appropriation State Tax Interest on Endowment	42,750.00	40,814.86	42,750.00 40,814.86
Bonds Student Fees Student Fees - Sum.Sch. Student Fees - U.H.S.	4,322.25 561.60 43,728.75 1,870.00	774.55 775.40	4,322.25 1,336.15 44,504.15 1,870.00
Student Fees - El.Tr. Sch. Student Fees - U. Ext. Miscellaneous Receipts Rentals Men's Dormitories	2,280.00 2,188.50 2,859.93 414.90 1,974.08	2,266.10 242.62 210.00 539.25	2,280.00 4,454.60 3,102.55 624.90 2,513.33
Total Expenditures Instruction Adm. Exp. & Maintenance		45,622.78 50,991.08 30,249.42 10,127.24	148,572.79 113,574.96 72,470.11
Add. & Betterments Total Excess of Expenditures over Income	43,478.66 148,283.23 (45,333.22)	91,367.74	53,605.90 239,650.97 (91,078.18)
Patterson Hall Income Miscellaneous Receipts Room Rent Summer School Total	8.20	1.00 60.50 61.50	9.20 4,777.75 4,786.95
Expenditures Expense	1,627.49	1,752.06	3,379.55
Expense of Income over Expenditures	3,037.96	(1,690.56)	1,407.40
General Fund Income General Fund Expendi-	107,675.46	45,684.28	153,359.74
tures	149,910.72	93,119.80	243,030.52

Excess of General Fund Ex ditures over Income	(42,235.26)	(47,435.26)	(89,670.78)
Excess of Receipts over Penditures for General Ledger Accounts	8,724.82	46,222.76	54,947.58
Excess of Expenditures of Receipts for the fiscal year to date - General Fund	ver l (33,510,44)	(1,212.76)	(34,723.20)
Excess of Expenditures of Receipts for the fiscal to date - General Fund Cash in Bank July 1, 193 General Fund Cash in Bank August 31, General Fund	l year l —		(34,723.20) (107,858.56) (142,581.76)
Trust Fund Income Student Loan Fund Student Notes Paid Total Receipts	510.76 608.82 1,119.58	44.97 236.00 280.97	555.73 844.82 1,400.55
Expenditures Expense Student Notes Total	40.00 205.00 245.00	40.00 180.00 220.00	80.00 385.00 465.00
Excess of Receipts over penditures	Ex- 874.58	60.97	935.55
Excess of Receipts over penditures for the fis year to date - Trust F Cash in Bank August 1, I Trust Fund Cash in Bank August 31, Trust Fund	cal fund 1931 -		935.55 1,417.64 2,353.19
Experiment Station Income Hatch - Federal Appro. Milk and Butter - Cash Reccipts Dairy Cattle Sales Swine Sales Poultry Sales Farm Produce Sales	3,750.00 1,068.96 92.00 269.98 121.09	979.40 42.00 148.80 82.12	3,750.00 2,048.36 42.00 92.00 418.78 203.21
Horticultural Sales	102.15	92.30	194.45

Rentals Miscellaneous Fertilizer - Fees Public Service - Misc. Feeding Stuffs - Fees Adams - Federal Appro. Serum - Sales Serum - Virus Sales Serum - Supply Sales Creamery - License Fees Creamery - Testers' Lic. Creamery - Glassware Test-	137.67 730.03 166.25 35.00 3,164.80 3,750.00 86.40 3.60 3.15 5,198.00 1,308.00	129.67 21.15 1,462.50 3.60 3,012.95 108.30 6.55 18.60 156.00 166.00	267.34 751.18 1,628.75 38.60 6,177.75 3,750.00 194.70 10.15 21.75 5,354.00 1,474.00
ed Purnell - Federal Appro. State Appro Patterson	44.33 15,000.00	44.21	88.54 15,000.00
Farm Purchase Nursery Inspection - Fees Nursery Inspection - State	25,000.00 135.00	200.00	25,000.00 335.00
Appro.	730.00	145.33	145.33 730.00
Poultry Improvement Cream Grading Blood Test	78.75	1,300.00 166.50	1,300.00 245.25
Total	60,975.16	8,285,98	69,261.14
Expenditures Expense Additions and Betterments Total	53,006.90 36.41 53,043.31	30,441.33 278.31 30,719.64	83,448.23 314.72 83,862.95
Excess of Expenditures over Income		(22,433.66)	(14,501.81)
1930-1931 Accounts Payable Liquidated during Currer Year Excess of Expenditures over Receipts Excess of Expenditures over Receipts for the fiscal	nt (7,146.00) er 785.85 er	(3,992.85) (26,426.51)	(11,138.85) (25,640.66)
year to date - Experiment Station Cash in Bank August 1, 19			(25,640.66)
Experiment Station Cash in Bank August 31, 19 Experiment Station			60,174.95 34,534.29
Extension Division Income Federal Smith-Lever Federal Add. Co-op. Federal Supplementary Federal Capper-Ketcham Urban Garden Funds	74,155.27 15,500.00 26,545.87 18,400.59 1,250.00		74,155.27 15,500.00 26,545.87 18,400.59 1,250.00

County and Other Total	216.75 136,068.48	124.85 124.85	341.60 136,193.33
Expenditures Expense	32,345.49	36,377.83	68,723.32
Excess of Income over Expenditures	103,722.99	(36,252.98)	67,470.01
Excess of Income over Expenditures for the fiscal year to date - Experiment Station Cash in Bank July 1, 1931 Extension Division Cash in Bank August 31, 1 Extension Division	t 		67,470.01 6,905.79 74,375.80
Summary General Fund Income Trust Fund Income Experiment Station Income Extension Division Income Total	107,675.46 510.76 60,975.16 136,068.48 305,229.86	45,684.28 44.97 8,285.98 124,85 54,140.08	153,359.74 555.73 69,261.14 136,193.33 359,369.94
General Fund Expendi- tures Trust Fund Expenditures Experiment Station Income Extension Division Income Total		93,119.80 40.00 30,719.64 36,377.83 160,257.27	243,030.52 80.00 83,762.95 68,723.32 395,596.79
Excess of Expenditures of Income 1930-1931 Accounts Payabl	69,890.34	(106,117.19)	(36,226.85)
Liquidated during the Current Year Excess of Receipts over	(7,146.00)	(3,992.85)	(11,138.85)
Expenditures for General Ledger accounts Student Loan Fund - notes Excess of Receipts over Expenditures for the fiscal year to date -	8,724.82	46,222.76 56.00	54,947.58 459.82
Combined Fund Excess of Receipts over Expenditures for the	71,872.98	(63,831.28)	8,041.70
fiscal year to date - Combined Fund			8,041.70
Cash in Bank and on hand July 1, 1931 - Combined	Fund		(37,360.18)
Cash in Bank and on hand August 31, 1931 - Combi			(29,318.48)

Abstract of item shown on statement of Income and Expenditures as "Excess of Receipts over Expenditures for General Ledger Accounts \$54,947.58".

	Debit	Credit
Accounts Receivable		32,524.19
Insurance Paid in Advance	658.93	
Sundry Accounts	6,917.68	
Notes Payable		30,000.00
	7,576.61	62,524.19 7,576.61 54,947.58

- 3. Annual Audit of University Accounts. The report of the annual audit of the accounts of the University was received from the auditors, Marwick, Mitchell, Peat and Company, and presented to the Board for consideration. After an examination of the report, a motion was made, seconded, and carried that the report be prepared for distribution to the members of the Board for consideration.
- 4. Budget Request from the Legislature. The matter of a request from the Legislature for the biennial budget was presented by President McVey; and a motion was made, seconded and carried that its development be referred to the Executive Committee with the request that it prepare a budget for the University of Kentucky to be presented in the form of a request for funds to the State Legislature and that the Board of Trustees be informed of the action of the Executive Committee.
- 5. Sale of State Warrants. The Business Agent reported that he had on hand State warrants approximating \$109,000 and that it would probably be necessary to sell some of these warrants about the first of October. He asked authority to sell them at such a time as may be necessary at the prevailing market price at the time of sale. A motion was seconded and carried authorizing the sale.

6. Quarterly Report of the President. President McVey made his quarterly report to the Board of Trustees of the University. The report was as follows:

As I view the situation at the University the turning-point has been reached in its history. Every year brings something new and there are constant changes and modifications in the conditions and problems facing the institution, but it seems to me that this year there is to be an undoubted and definite change in the general situation. This statement is based upon three points: first, the completion of the building program, more or less definite, that has been going on for the last half dozen years. The second is to be found in the increasing emphasis on graduate work and the enlarging number of students coming to the University for work on advanced degrees. The third point is to be found in the probable change in the income of the University.

In the past half dozen years the University has completed buildings that aggregate \$2,100,000.00. This sum does not include the stadium, nor the gymnasium erected by the alumni, nor does it include Bradley Hall, for which appropriation was made Toward these expenditures appropriations were made of approximately \$550,000. Gifts amounted to \$225,000, amortization projects \$270,000, and the balance, to savings in income over the last six years, amounted to \$937,000. Resulting from this activity, the University now has a group of buildings that would be a credit to any institution in the land, though it also possesses a number of old buildings that never were adequate for their purposes, even at the time of their construction. All of these expenditures and their upkeep have been taken care of with the exception of a debt which now amounts to \$100,000. Slow assets now on the books, if they were not allowed, would increase this amount by \$125,000. This progress in building has been due to a definite income receivable from the State and the increasing funds that have come from the inheritance tax law. Other State departments have run behind in their receipts because the State is overspending its income. As a result, there is a considerable floating state debt.

This is a matter of anxiety to a number of people, and it is now proposed to place the State on a strict budgetary system with all taxes paid directly to the State treasury and re-appropriated by the State legislature. Much is to be said of this viewpoint, but that it will cure all difficulties is undoubtedly an over-estimate of the probable results that will come from such a budget system. It may be worthwhile to look over a memorandum that I drew up this summer regarding a budget plan for Kentucky.

MEMORANDUM

- I. A budget is a device that has some advantages but it will never cure political situations and stop the working of a political system such as we have in Kentucky.
- II. The Legislature knows very definitely what it has to spend but this does not prevent its overspending. Log rolling, trading and the like result in the passage of money bills regardless of a budget system.
- III. No budget system will work acceptably as long as there is a fixed tax. A budget system calls for an orderly statement of expenditures, then the fixing of the tax for the purpose of meeting the budget. Assignment of moneys to this and that by a budget officer results in pulling and hauling and grants on the basis of political power.
 - IV. Income has been assigned to the educational institutions so they may know what they can do. It is a protection against political maneuver and reprisal. The amount assigned to educational institutions is 5 per cent or less of the income of the State.
 - V. The Legislature is the place to begin the work. A mere budget system will not check over-appropriation. The governors have always had to veto but they are in measure checked by the political situation. The problem involved is far deeper than a budget system.
 - VI. Every legislature knows what departments and institutions have and what they spend. The budget commission collects all this information and it is placed before every legislature. A budget placing institutions on a biennial basis with no certainty of income will be unwise and hazardous. They should know what they can have and be able to count on it.

The inheritance tax which is collected by the State of Kentucky has been used since its passage for constructive purposes. To take funds collected from estates for current expenses is a questionable procedure, but to use such funds for educational purposes is a capital investment from the point of view of the State.

I have had a number of letters from the presidents of the teachers' colleges in the State asking what the University was going to do about the estate of Mr. William Monroe Wright, who died in August of this year. Various estimates have been placed upon this estate from sixty millions down. Undoubtedly, many of the estimates are too great, but it would seem advisable from

the viewpoint of the University and the teachers' colleges to have the matter looked after by legal counsel for the University so the Board of Trustees may know what procedure is being followed in the collection of this tax. Whatever the amount of tax, it would be doubly welcome this year considering the lowering of receipts from other sources.

Another point in the changing situation in the University is to be found in the increasing demand for graduate work. growth in graduate work has shown in the registration, which The number of candireached 900 including the summer session. dates for the master's degree and Ph.D. degree, also, has grown. This is as it should be, but the University can not hold its place as a graduate school unless it maintains a high efficiency in staff and provides the necessary laboratory and library facil-Such demands mean greater expenditures and the University should furnish many additional books in the fields of political In the fields of science, history, economics and literature. the extension departments, the agricultural extension and university extension have been called upon for additional services. The Department of University Extension is now asked to do a great deal of work and the emphasis is placed not so much on correspondence studies as upon extension classes. The agricultural extension, which had heavy work placed upon it as a result of the drouth of last year and the work which it did in cooperation with the Red Cross, was of the very highest order. This year it has been engaged in heartening the farmers and has placed new emphasis upon a more self-sufficient agriculture. tion to these demands, the various bureaus have been called upon to help State departments and colleges in their work. This applies not only to the departments in the fields like economics, This apbut goes even to the Department of Buildings and Grounds in giving assistance to colleges and institutions in plans for heating, water, and the like.

The student body last year reached the highest figure in the history of the University. The total number registered on October 10 last year was 3204. The registration this year on September 19 was 3010 as against 3027 on the same date last year. The number of freshmen entering this year was somewhat smaller than that of last year, due to the policy of refusing to admit from high schools in other states students who are not in the upper two-thirds of their class, as well as students from other colleges who have made poor records in those institutions. curve of student growth is astonishing. It shows that in a period of ten years the attendance at the University has in-Consequently, this progress calls for increased equipment, additional buildings and additional grounds space. It is difficult at the present time to find space for University This raises the question of the legislative program purposes. at the next session. The situation economically and politically does not seem propitious. Nevertheless, the program should be drawn up as soon as possible. In order to assist in doing this I am calling the attention to the need of a building for the

College of Engineering, the desperate need of the biological sciences for a large laboratory building, the needs of the Department of Home Economics, which is housed in a building never adapted to their purposes, a building for the activities of the R. O. T. C., a dormitory for women and a building to take care of student activities. These are the needs of the University. In this list I have not placed a central heating plant, nor an administration building, nor a building for the Department of Physics. All of these things are very much needed and it is desirable to bring as clearly as possible to the members of the Legislature the needs of the University.

There should be a considerable sum of money devoted to the Department of Grounds of the University. The campus looks better than it has for some time, but it is desirable to provide planting around some of the buildings, to put in permanent walks and to prune and treat the trees, which are rapidly deteriorating.

The University is asked now and then to lend its good offices to some cause or to undertake work of investigation of social and economic conditions. The unsolicited request of the C. & O. Railway Company to carry on tests of coal at the University of Kentucky is a real compliment. The railway company provides the funds and the coal and the University selects the staff and supervises the work under the direction of a combined committee composed of representatives of the railway company and the University. This work was begun July first and is now advanced to the point where the tests may begin. It required an arrangement of space and the purchase of equipment before the tests could be undertaken. The value of the experiment to the railway company will depend upon the thoroughness with which it It is expected that the University will do an excellent piece of work and provide the information sought by the railway company.

The fact that the University is asked to do work of this kind points to its need of an Engineering Experiment Station. Some thirty of the state universities have such stations, but we have never been able to create one here because of the lack of funds. The use of money for such purposes will be of advantage to the State in many ways, particularly in pointing out what can be done with our resources.

The White House Conference on Child Welfare was held in Washington last year. This conference worked through committees that attempted to get at the facts concerning child welfare in the United States. An amazing amount of material was gathered by the committee and in time its findings will be published. The purpose of the conference was to stimulate the states to carry on this work after the material had been gathered. With that end in mind the Kentucky Conference was formed with the purpose of getting at the facts and interesting the people in the results that came out of the conference. Professor Nofeier of Asbury College, was appointed general chairman and director of the

State conference. He has spent a good deal of time and money in organizing the work and now finds that it is difficult to carry it on. He asks that the University undertake it by putting its organization behind it. Without doubt there is a good cause here, but the cost of projecting such a piece of work would be considerable. Still the University might think seriously of assisting in a real child welfare program in Kentucky.

The new library which was completed this spring and occupied by the University in June is to be dedicated on October 23. Dr. John H. Finley of the New York Times, has been asked to deliver the address on that occasion. He has consented to do this and the committee on arrangements is now preparing the program and expects to sand invitations to all those interested, both in the State and outside. I hope that on that occasion members of the Board of Trustees will be present and add to the impressiveness of the dedication exercises by giving their sanction and approval. The year just closing has been an important one in the history of the University and the Board of Trustees have given generously of their time and ability. The progress of the University has been due to the affection, interest and intelligence of the board in directing its affairs.

One thing more before I close this report. On the books of the University are a number of items carried as assets, which to say the least, are slow in action. These items include sums loaned to the Memorial fund, the stadium fund and also to the construction of the gymnasium and advances made on the Memorial Hall. The amount involved in these enterprises and now owing to the University is \$122,223.87. It would be a great relief to the University for the Alumni Association to undertake to clear this indebtedness. The executive committee of the association should give this matter some thought, but the time has not seemed opportune and no progress has been made in an effort to take care of the matter.

In closing, I want to thank Governor Sampson, who has attended meetings of the board but two, since he has been Governor of the State. His interest has been manifested many times. During his administration the University has made progress and been free from any attempts at political control.

7. Appointment of Committee to Study Problems of Higher Education in the State. At a previous meeting of the Board, the President of the University was requested to call a conference to study higher education in the state. President McVey reported that the chairman of the Kentucky Education Association had appointed a committee for this purpose and that the committee is to meet on the 30th of September for a discussion of various problems.

- 8. Appointment of Attorney. Mr. J. Pelham Johnston was on motion, duly made and seconded, appointed as attorney for the University to represent its interest in the settlement of the Wright estate.
- 9. Legislative Program. The question of a legislative program for the University was discussed by the Governor and the various members of the Board of Trustees. The matter was referred to the Executive Committee with the request that a program be developed and reported to the Board of Trustees.
- 10. Extension Education for Negro People. The following report was made by Wellington Patrick, Director of University Extension, to the President of the University, which in turn was presented to the Board of Trustees for discussion:

September 21, 1931

Memorandum for the Board of Trustees, University of Kentucky, for consideration at its regular quarterly meeting on September 22, 1931.

The following brief of the discussion regarding the proposal to admit Negro teachers of the State of Kentucky to University Extension courses is submitted for the consideration of the Board. This brief has been prepared at the request of the Executive Committee at its last meeting. The following appear to be the essential points involved in the matter.

- (1) On May 13, 1931, President R. B. Atwood of the Kentucky State Industrial College, Frankfort, Kentucky, in a letter to President McVey quoted the action of the Board of that Institution asking the University of Kentucky as a temporary measure to admit Negro teachers in the State of Kentucky to extension courses. A copy of that letter is attached, marked Exhibit A.
- (2) On July 6, 1931, Mr. L. N. Taylor, State Supervisor of Negro Education for Kentucky, submitted a brief digest of the laws and supreme court decisions affecting Negro education of the State. This document, together with President Atwood's letter were submitted to the Executive Committee at its July meeting. A copy of Mr. Taylor's letter, marked Exhibit B, is attached to this memorandum.

- (3) On May 28, 1931, Dr. Henry H. Hill, City Superintendent of Schools of the City of Lexington, submitted a request endorsing the proposal. A copy of Dr. Hill's letter is attached, marked Exhibit C.
- (4) Similar communications have come from other interested persons, among which is a communication from W. H. Fouse, Principal of Dunbar High School, Lexington, Kentucky. A copy of that communication is attached marked Exhibit D.
- (5) From time to time during the last ten or twelve years, various requests have come from Negro persons in the State asking the privilege of taking correspondence courses.
- (6) At the July meeting of the Executive Committee these proposals were presented, and the matter taken under advisement. Wellington Patrick, Director of University Extension, was requested by President McVey at that meeting to prepare a brief of the matter and put the discussion in form for consideration at the September meeting of the Board. The following discussion of the matter is, therefore, presented for consideration of the Board.
- (a) It appears that the Negro teachers of the State of Kentucky are required by law to meet higher standards and need the facilities of correspondence courses and extension classes; such as are provided for white teachers in order that they may further their education and meet legal requirements rapidly being demanded by certification laws. Their salaries are being held back considerably, owing to the fact that they have no program of training while in service.
- (b) It appears that the institutions for the training of Negro teachers in the State of Kentucky are at present absorbed in establishing themselves to do satisfactory residence work and that they have not the staff or the facilities at present to meet the demands for giving extension instruction to Negroes.
- (c) The statement of the Supervisor of Negro Education in Kentucky, Mr. L. N. Taylor, who for years has been a student of the school laws of the State and the various decisions of attorneys general and of the supreme court, bears out the viewpoint that there is no law on the statute books which would prevent the University of Kentucky from offering this service as a temporary measure.
- (d) The giving of extension courses for colored persons is carried on in several southern states. Something is being done in Florida, Arkansas, and a few other southern states in the way of making available extension instruction for Negro persons.

Scparate instruction, of course, is given; and white teachers and Negro teachers are not taught together. Of course, northern universities are making available their correspondence courses and extension courses to Negro teachers without any discrimination.

- (c) The statutes of Kentucky contain some references to the question of the mixing of Negroes and Whites in classrooms; but so far as I am able to determine, the law which was passed some twenty years ago was for the solution of a particular problem; namely, to prevent instruction of white and colored persons in mixed groups. The law was designed specifically to remove colored students from Berea College. That law, of course, had no reference to extension instruction as it exists today; because such instruction did not exist in Kentucky at that time.
- (f) The institutions for the education of Negro teachers in this State at present are not organized in such a way as to give an effective program of such instruction. However, the problem has been solved in the City of Louisville, where the University of Louisville has taken over and operates an institution for Colored teachers as a branch of the municipal University of Louisville.
- (g) The only point involved seems to be the social effect on the popular mind. Would the people of the State of Kentucky object to the University of Kentucky's offering extension instruction to the Negro population of the State? Since the matter seems to be in process of solution in several southern states without social reaction, it would seem that there would be no problem arising in this respect, especially if the instruction is to be given separately and if it is not contemplated to mix white and colored persons for purposes of instruction.
- (h) Extension courses at the University of Kentucky as they have existed for the last thirteen years have been self-financing. The cost of instruction has entirely been borne by the persons Members of the University faculty have been employed concerned. to do the work; and under restrictions set up, they have done the teaching as a service; and whatever fees have been paid for instruction and traveling expenses have been borne from the reccipts. so that no expense to the University of Kentucky has been involved so far as those particular activities are concerned. Under the regulations instructors are allowed in addition to their regular teaching load to do a limited amount of extension teaching, for which they receive a small additional compensation. This is generally the practice in all the larger colleges and universities of the country. The proposed program for Negro teachers, therefore, would be self-financing and would not involve the funds of the University of Kentucky.

- (i) The program proposed would consist of offering extension classes in a very few communities; such as Lexington, Covington, and perhaps two or three other communities where there is a sufficient Negro population; and in addition offering correspondence instruction to other persons who are accessible to such centers.
- (j) It is proposed that the program would be a temporary measure for present relief and that it would be abandoned as soon as the educational institutions for Negro teachers or other persons of the African race are able to set up their own program. The gist of the whole matter seems to be that Negro school teachers in Kentucky are being pressed to meet higher standards and are asked to keep pace with White teachers in their educational advancement but are not offered sufficient facilities at present It would seem that there is nothing in the proposal to do this. which would make the matter socially undesirable from the view-It would probably mean that a few hundred point of the public. teachers in places; such as Lexington, Covington, Newport, Frankfort and perhaps a few other places would be organized for extension instruction in the same manner as are White teachers, at present, and under the same standards and same regulations. In present, and under the same standards and same regulations. addition, isolated individuals would be admitted to correspondence courses in the same manner as are white teachers. of these would be temporary measures.
- (k) If it were not considered desirable from an educational viewpoint to keep the records of such individuals in the office of the Registrar of the University, our proposal would be to certify all such records direct from the Extension Department of the University to the Kentucky State Industrial College at Such persons could be classed as special students Frankfort. as is occasionally done with our swn students, and the matter of satisfying their entrance requirements would thereby be entirely shifted to the institution which such students enter. would relieve the University of Kentucky entirely of the responsibility of inquiring into the adequacy of entrance requirements. Moreover, the acceptance of such students as "special students" would not in any way assume that entrance requirements when ha been satisfied any more than would be the case with our own "special students." Of course, it would not be contemplated that such persons would later be admitted as residence students at the University of Kentucky. Their admission to college and the satisfaction of entrance requirements would be problems which would be shifted entirely to educational institutions for Negro persons in the state; or in case they enter institutions in other States, those institutions would thereby accept the responsibility of satisfying themselves on the question of entrance requirements.

(1) It is recommended that effective September 22, 1931, the University of Kentucky open extension courses including correspondence courses and extension classes to persons of African race under the conditions set forth above.

Respectfully submitted

Wellington Patrick, Director Department of University Extension

WP: RHM

EXHIBIT A

Kentucky State Industrial College R. B. Atwood, President Frankfort

May 13, 1931

Dr. F. L. McVey, President University of Kentucky Lexington, Kentucky

Dear Dr. McVey:

There follows below an extract taken from the Minutes of the May 4th meeting of the Board of Trustees of the Kentucky State Industrial College for Colored Persons:

"President Atwood submitted for the Board's consideration a letter under date of April 22, 1931, from Mr. L. N. Taylor, Supervisor of Colored Schools, of the State Department of Education, Frankfort, relative to the Board of Trustees of Kentucky State Industrial College extending an invitation to the University of Kentucky to offer correspondence courses to the colored teachers of Kentucky, with the understanding that credits earned in same will be recorded in the Registrar's office of Kentucky State Industrial College for Colored Persons.

"After discussing this matter, it was moved by Col. Martin, seconded by Mr. Perkins, that the Board of Trustees of Kentucky State Industrial College through its President, request the Extension Department of the University of Kentucky to give correspondence courses to the colored teachers of this State, the credits earned in same to be recorded in the Registrar's office of Kentucky State Industrial College at Frankfort. The motion was put by the Chairman, and the vote upon same was as follows:

Professor Gillis ---- Did not vote Col. Martin ---- Aye Mr. Perkins ---- Aye Supt. Bell ---- Aye Motion provailed, and it was so ordered."

In accordance with this resolution, I am requesting your University to extend correspondence service to include the colored teachers of this State. If you are willing to do this, I am of the opinion that you will be rendering a service to a most grateful people and it is a service which no colored school in the State is in position to offer at this time. I trust that under the arrangements as outlined above that you will be in position to grant this request and I shall appreciate hearing from you at your earliest convenience.

Yours very truly,

(Signed) R. B. Atwood President

RBA: VJS

EXHIBIT B

STATEMENT OF LAWS AFFECTING THE RIGHT OF THE UNIVERSITY OF KENTUCKY TO GIVE COLLEGE EXTENSION SERVICE TO COLORED TEACHERS IN KENTUCKY.

L. N. Taylor, State Supervisor of Negro Education in Kentucky, prepared July 6, 1931

There are three classes or groups of law, any one of which may affect the obligations and rights of the State University in this connection. They are as follows:

(1) Federal constitution and statutes.
(2) State laws pertaining to the administration of the University of Kentucky.

(3) Constitution of Kentucky and general statutes and decisions.

Those three may be mentioned in order.

- (1) The federal constitution and federal statutes carefully avoid any requirement of separate schools for white and colored. In fact, more than thirty of our states maintain common schools without discrimination or separation along race lines. The federal policy as expressed in the federal constitution and laws favors this majority practice but does not impose it upon the states.
- (2) The Kentucky laws that pertain to the administration of the University of Kentucky do not indicate in their wording that the University is a one-race institution. It is, no doubt, assumed in these laws that the policy of the state as expressed in its constitution and general statutes will be observed in the administration of the University, and it has not been found desirable by the legislature to insert racial restrictions into the laws that pertain specifically to the administration of the University. In practice, the University has consistently refrained from admitting into its classrooms and classes any students of the Negro race. Its intra-mural service, its classroom service within the walls of the institution, has been limited to students who are not of the Negro race. It has been the practice of the University to give its extra-mural service, its work outside the classrooms and buildings of the University itself, without distinction as to race or color.

In accordance with this policy, the Agricultural Experiment Station, operating under provisions of Kentucky Statutes, sections 4636f-1 to 4636h-2 disseminates the results of its investigations to all alike, bringing its findings "direct to the farm and home, by means of personal visitation, correspondence, cooperative demonstrations and experiments and the solution of local problems by station experts visiting the locality and studying the problems of the farm." This visitation and correspondence service has been open to white and colored alike. Similar provisions of law and practice apply in the various phases of horticulture, animal husbandry, and agriculture. The same liberal policy has been in full operation by the University in connection with the work of the inspector of mines, appointed by the Board of Trustees of the University. persons are not admitted to the classes in mining engineering that he directs or teaches in the University, but they are equally with white persons the beneficiaries of his extramural service carried on outside the classrooms and walls of the University under provisions of section 4636-13 of the Kentucky Statutes.

(3) Our general laws, set out in our state constitution and in statutes and decisions, in general, control the practices of the University. Our state constitution in section 187 says,

"Separate schools for white and colored children shall be maintained." The constitution does not in its terms carry this separation of races into the colleges, but requires separation of white and colored children in our public schools. Our statutes provide, particularly in what is known as the Bereal law, section 4526a, that this separation shall be extended even into the college field. The Bereal law, so called, is the most drastic on this subject that we have, and the decision of the Court of Appeals in the case Berea College v. the Commonwealth, 123 Ky. 209, is the most exhaustive decision touching this matter. This decision in summary states:

"The ultimate object of this legislation providing separate schools for the two races was to separate the youth of each during the most impressable and least responsible period of their lives and until ripened judgment and observation can have set them well in the safe ways of thinking."

It states further:

"We must look to the object of the legislation as well as to the words of the statutes to divine the true meaning. It is not to prevent either race from being taught by an institution which also teaches the other nor is it to prevent persons of one race from teaching persons of the other."

It states,

"The intention of this act was to prevent the two races to attend the same school at the same place and at the same time whereby there would result an intermingling or close personal association between them."

From an examination of the laws and court decisions interpreting same, it seems that the practice of the University, as above stated, is legally sound, in which all instruction within the college is limited to white students only, and in which its extra-mural work, that done for the outside public, is made available to all alike, as is done in the agricultural extension service. It is consistent and in accord with the laws of the Commonwealth to follow the same liberal policy in the college extension service, since it will not involve the organization of mixed classes, or classes in which white and colored students will be taught together or "brought into close personal association."

EXHIBIT O

Lexington Public Schools
Board of Education
Lexington, Ky.

Henry H. Hill Superintendent of Schools

May 28, 1931

Dr. Wellington Patrick Director of Extension University of Kentucky Lexington, Kentucky

Dear Dr. Patrick:

I am very much in favor of the application of the Kentucky Industrial School for colored people at Frankfort for extension courses for Negro teachers in the state. The proposition has my unreserved endorsement and I shall be more than glad to do anything I can to help complete the plans now The regulations just adopted for teachers in Lexunder way. ington require all those teachers who do not have degrees to earn twelve semester hours every two years. To expect our colored teachers to take almost all of this work in other institutions while our white teachers can stay at home and take work at the University of Kentucky is a discrimination which forces our colored teachers to pay out a considerable sum of money -- more than is necessary for the white teachers. I have been glad to see the University of Cincinnati offer two extension courses the past winter because this enabled the colored teachers to earn four semester hours without leaving home but the University of Cincinnati must have a class of more than thirty or forty and in order to have this number the courses must be very general and, frequently, does not meet the need of many of the teachers. There are approximately seventy teachers in the Lexington Colored Schools and of these very few have degrees.

At a meeting of the colored principals this morning they expressed hearty endorsement of the plan which has been suggested. I shall be more than glad to have you transmit this letter to President McVey or the Board of Trustees and I certainly wish you success in your plans.

Very sincerely yours
(Signed) Henry H. Hill

HH: EM

EXHIBIT D

PAUL LAWRENCE DUNBAR HIGH SCHOOL W. H. Fouse, Principal Lexington, Kentucky

August 17, 1931

Dr. Wellington Patrick University of Kentucky Lexington, Ky.

My dear Mr. Patrick:

I was very much pleased some time ago to hear you sound the note of help that might come to the Colored teachers of our city and perhaps from other points. Your reference, as I understand it, is that the instructors from the University of Kentucky might be secured to give courses to our teachers who are doing undergraduate work.

Now if such an arrangement can be made I personally believe that you will do for us a most wonderful thing. Up to this time the Colored teachers have been compelled to leave the city and state to get the instructions to qualify for the state standards. This has been a very great handicap.

May I express the hope that your endeavors may be crowned with success.

With cordial good wishes, I am

Yours truly

(Signed) W. H. Fouse
Principal, Dunbar High
School.

Mr. L. N. Taylor, State Supervisor of Negro Education in the State of Kentucky, and President R. B. Atwood of the Kentucky State Industrial College, appeared before the Board of Trustees; and each made brief statements, requesting the University of Kentucky to make provisions for extension instruction for Negro persons in the State of Kentucky. After discussion, a motion was made, seconded, and carried that the University of Kentucky make available a program for extension instruction for Negroes under the following conditions:

- 1. That correspondence courses made available for White persons in the State of Kentucky be made available for Negroes.
- 2. That such extension classes as the University may be able to provide for White persons may also be made available for Negroes whenever the facilities of the University will permit such instruction.
- 3. That the same scale of fees, which is charged for White persons for extension courses and correspondence courses, be paid by the Negro persons.
- 4. That the Director of University Extension of the University of Kentucky report in memorandum form to the President of the Kentucky Industrial College at Frankfort the record of the work of any Negro persons completing extension courses at the University of Kentucky and that this record be carried as a part of the record of the Kentucky Industrial College and not as a record of the Registrar's Office of the University of Kentucky.
- 5. That Negro persons be admitted to classes and correspondence courses in the same manner as white persons are admitted to such courses without reference to satisfying residence requirements and that the question of college entrance requirements be left as a matter of disposal by the Kentucky Industrial College at Frankfort, or other institutions.
- 11. Retirement of Judge Lyman Chalkley. Judge Lyman Chalkley of the College of Law was made Professor Emeritus of Law of the University of Kentucky and placed on a salary of \$2,000 a year effective October 20, 1931; it being understood that the President of the University will make some specific assignment for him.
- 12. Salary of A. J. Zimmerman. It was reported to the Board by the President that Professor A. J. Zimmerman, Professor of Chemistry, died during the month of June. At the time of death he had been allowed leave of absence for the year 1931-2 on one-half pay. A communication was read from Mrs. Zimmerman requesting that his salary allowance be allowed the family during the coming year. After discussion, a motion was made, seconded, and carried that one-half year's salary be allowed to the family of Mr. Zimmerman, deducting any payments that have already been made.

- 13. Request of Mrs. Julia R. Gentry. Mrs. Julia R. Gentry sent a statement to Dean Cooper indicating that she was formerly a Home Demonstration Agent, and that during the year 1917 she bought a large number of cans for canning purposes which she paid for and on which she lost money. She asked that the University reimburse her. A similar case from Mrs. Woolcott had been discussed by the Board some six years ago, and the matter gone into to considerable length. A motion was made, seconded, and carried that it was the opinion of the Board of Trustees that it is without authority to act in the matter.
- 14. Widening Limestone Street. Judge Stoll reported to the Board that he had a communication from Mr. J. J. O'Brien, Mayor of Lexington, that funds are not available for carrying out the project for widening Limestone Street this coming year and that it will not be possible for the City of Lexington to enter into an understanding with the Board of Trustees of the University of Kentucky regarding the matter.
- 15. Surrender of Bonds to the J. F. Hardymon Company. President McVey reported to the Board that \$25,000 in Liberty Bonds belonging to J. F. Hardymon Company held by the University of Kentucky in lieu of bond for the construction of the Library Building had been turned over to the J. F. Hardymon Company inasmuch as that company has satisfied the University in regard to the building.
- 16. Athletic Games with Centre College. A communication from a group of Kiwanis Clubs in central Kentucky regarding reopening football games with Centre College was presented to the Board. The matter was referred to the Athletic Council for consideration.
- 17. Meeting of Governing Boards of State Universities.

 President McVey reported to the Board that there will be an annual meeting of the Governing Boards of State Universities at Minneapolis, Minnesota, about the middle of November. The President was authorized to appoint a member of the Board to attend the meeting.
- Pavilion. A communication regarding the construction of a water line to the stock judging pavilion was read from the Lexington Water Company. The matter was discussed, and the chairman of the Board of Trustees and the chairman of the Executive Committee were authorized to execute an easement. The document was as follows:

THIS AGREEMENT, Made and entered into this 22 day of Septomber, 1931, by and between UNIVERSITY OF KENTUCKY, a corporation, party of the first part, and LEXINGTON WATER COMPANY, a corporation, party of the second part,

WITNESSETH:

That, for and in consideration of One Dollar (\$1.00) cash in hand paid by second party to first party, and of other good and valuable considerations, the party of the first part does hereby grant to the party of the second part the right to lay, operate and maintain a water main from second party's main line on Rose Street, in Lexington, Kentucky, and extending thence through the property of the party of the first part, which lies on the east side of Rose Street, South 420 15' East 688 feet, more or less; also the right to lay, maintain and operate such laterals connecting with the above-mentioned water main as may be necessary to supply any demand for water upon first party's said property. Said water main shall cross first party's Rose Street property line at a point approximately three hundred and eighty-one (381) feet south of the north property line of first party's said property which lies east of Rose Street.

First party also grants to second party the right of ingress and egress to and from said property for the purpose of operating, repairing and maintaining said water main and all laterals thereto.

A plat showing the location of first party's said property and of said water main is attached hereto and made a part hereof, marked "A".

This contract is executed in duplicate, each copy to have the force and effect of an original.

WITNESS the hands of the parties hereto, this the day and year first above written.

UNIVERSITY OF KENTUCKY
By Flem D. Sampson
Chairman, Board of Trustees.
LEXINGTON WATER COMPANY
By W. F. Cramer

State of Kentucky County of Fayette

I, Jane J. Nichols, a notary public in and for Fayette County, Kentucky, do hereby certify that the foregoing instrument of writing between the University of Kentucky and the Lexington Water Company was produced to me in the county and state aforesaid and was acknowledged by Flem D. Sampson, Chairman of the Board of Trustees of the University of Kentucky, to be the act and deed of the University of Kentucky.

Whereupon said instrument and this my certificate are certified to the proper office for record.

Given under my hand and seal of office at Lexington, Kentucky, this 22nd. day of September, 1931.

My commission expires July 17, 1935.

Notary Public, Fayette County
Kentucky.

State of Kentucky County of Fayette

I, W. M. Coons, a notary public in and for Fayette County, Kentucky, do hereby certify that the foregoing instrument of writing between the University of Kentucky and the Lexington Water Company was produced to me in the county and state aforesaid and was acknowledged by W. S. Cramer, for the Lexington Water Company, to be the act and deed of the Lexington Water Company.

Whereupon said instrument and this my certificate are certified to the proper office for record.

Given under my hand and seal of office at Lexington, Kentucky, this 2nd day of October 1931.

My commission expires January 16th 1935.

W. M. Coons
Notary Public, Fayette County,
Kentucky.

- 19. Request of Mrs. Cecil Cantrill. Mrs. Cecil Cantrill in a communication to the University of Kentucky requested land for the purpose of erecting a public swimming pool. The matter was discussed, and a motion made and seconded that it was the opinion of the Board that it is without power to act in the matter.
- 20. Payments on Agricultural Building. Various bills for payment on the Agricultural Building were presented; and a motion was made, seconded, and carried that the bills be paid after they are examined by the Business Agent of the University and found correct.
- 21. Installation of Sprinkler System. Motion was made, seconded, and carried that the action of President McVey in entering into a contract with C. G. Wilcoxen and Company for the installation of a sprinkler system in the women's dormitories at a cost of \$9,650 be approved. This was let on bid to the lowest and best bidder.
- 22. Road over Experiment Station Farm at Quicksand. A communication was read from Dean Cooper regarding the construction of a road over the Sub-Experiment Station farm at Quicksand. The matter was discussed; and the resolution offered, seconded, and carried that it was the sense of the Board that it would be favorable to granting a right-of-way through the University property, provided a request is made by the Breathitt County authorities, under such conditions as may be provided by the University; and provided those conditions are accepted by the Breathitt County authorities.
- 23. Student Loan Fund. President McVey made a brief report to the Board that the Student Loan Fund was being heavily drained and that a good many requests have been made on it which it cannot take care of. A motion was made, seconded, and carried that the miscellaneous funds which are being carried on the books of the University, which may be determined by the President, be transferred to the Student Loan Fund.
- 24. Child Welfare. President McVey reported to the Board that the Child Welfare Organization of Kentucky had requested the University of Kentucky to enter into a discussion of the matter of child welfare in the state and to do something in the direction of taking the work over. A motion was made, seconded, and carried that the matter be referred to a committee consisting of President McVey, Dean Cooper, Wellington Patrick, and W. S. Taylor.

25. Appointments, Changes in Status, Leaves of Absence, and Resignations. The following list of appointments, changes in status, leaves of absence, and resignations was presented; and on motion, duly seconded, approved:

Temporary appointment of Mr. Melvin E. Wyant as Nursery Inspector in the Department of Entomology and Botany effective July 13 at the rate of \$250 a month. Employment will be for approximately three months, or such part thereof as may be necessary to complete the inspection work for the year 1931.

Appointment of Miss Mary Elizabeth Purcell as Field Agent in Home Economics, Extension Division, effective September 1, 1931, and ending August 31, 1932, at a salary of \$2500 per year, and the usual traveling expenses while on official duty. is to fill the place made vacant by Miss Isabelle Story, who will be away on leave of absence.

Appointment of Mr. G. H. Wiggin as forester at the Robinson Sub-station, effective October 1, 1931, at the rate of \$2800 a year.

Leave of absence for Mr. Clifton J. Bradley beginning September 1, 1931, and extending to July 31, 1932.

Resignation of Mrs. Louise McGill Craig, home demonstration agent in Hickman. County, effective August 31, 1931.

Reappointment of Miss Jean Allen Gibbs, as student assistant in the Department of Art for 1931-32 at a salary of \$400 for the year.

Appointment of Mrs. Lorene R. Tolman as graduate assistant in Sociology for 1931-32 at a salary of \$500 for the year. Mrs. Tolman is appointed in the place of Miss Margaret Arnold, previously appointed, who has resigned.

The title of Associate in the Bureau of Government Research to be given to Dr. J. W. Manning.

Appointment of Mr. Earl R. Keller as graduate assistant in mathematics, at \$600 for the year 1931-32.

Appointment of Robert Stewart at \$525.00 for 1931-32, Hugh Jackson, at 400.00 for 1931-32, P. J. Ross, at 400.00 for 1931-32, J. B. Holtzclaw, at 200.00 for 1931-32, 400.00 for 1931-32, Paul P. Dull, at 200.00 for 1931-32, Anita Wells, at 400.00 for 1931-32, as graduate assistants in political science.

Resignation of Mr. James M. Boswell of graduate assistant-ship in mathematics for 1931-32.

Resignation of Mr. J. V. Barry as technician in the Department of Bacteriology for 1931-32.

Appointment of Mr. Stuart Barney and Mr. Jack Todd, parttime technicians in the Department of Bacteriology, for the rest of the year. Mr. Barney is to receive \$27.60 for September and thereafter \$36.00 a month until July 1. Mr. Todd is to be paid \$23.00 for September and thereafter \$30.00 a month until July 1.

Appointment of Mr. A. R. Heath as graduate assistant in the Department of Bacteriology at a salary of \$400 for the year 1931-32.

Appointment of Mrs. Margaret M. Ratliff as graduate assistant in Psychology and secretary in the department at \$20 a month or \$200 for the year.

Resignation of Dr. J. W. Davis as physician in the Training School.

Appointment of Miss Rita Mount as graduate assistant in the Department of Art, at a salary of \$300 for the year 1931-32.

Resignation of Mr. B. I. Wiley as graduate assistant in History.

Appointment of Mr. Harry Lynn as graduate assistant in History at a salary of \$400 for the year.

Appointment of Miss Laura Katherine Johnston, graduate assistant in the Department of Physical Education for Women, her compensation to be the amount of her tuition fees for the first semester.

Appointment of Miss Margaret S. Bargar as executive assistant in the Bureau of Business Research to serve from September 14, 1931, to the end of the first summer term, 1932, at a salary of \$1200.

Promotion of Miss Ellen V. Butler to acting head of the Cataloging Department at her present salary.

Appointment of Miss Bessie Boughton as assistant cataloger, her salary to be \$1500 beginning September 1st.

Appointment of Mrs. Margery P. Hornsby as a substitute for Miss Margaret Tuttle, beginning September 1, as librarian in charge of department libraries, at a salary of \$150 per month, until August 1, 1932.

Continuation of Mrs. Stoner's temporary employment until September 15.

Appointment of Mrs. Hallie Day Blackburn, assistant in cataloging, at a salary of \$1400, beginning September 15.

Appointment of William K. Conrad as instructor in Machine Design at a salary of \$1500 on a twelve-months basis.

Appointment of James E. Wilkins as instructor in Electrical Engineering at a salary of \$1500 on a ten-months basis.

Appointment of Miss Betsy Morton as teacher of commercial subjects in the Training School at a salary of \$2,000 for 1931-32.

Appointment of Miss Mary Lois Williamson as critic teacher of home economics at Versailles to succeed Miss Helen Porter Roberts, resigned, at a salary of \$900.

Appointment of Miss Vivian Burke, assistant to Miss Frances Martin in the kindergarten at \$75.00 a semester, to be paid in five equal installments of \$15.00 each.

Appointment of Miss Eudora Groves as stenographer in the Department of Vocational Education, to succeed Miss Elizabeth Woods, who resigned to accept a position as secretary to Dean Evans. Miss Groves is to receive \$600 for the year.

Resignation of Miss Anne O'Connell as secretary to Professor Jesse E. Adams.

Appointment of Miss Eloise Conner as stenographer in the President's Office at a salary of \$80.00 a month, effective November 1, 1931.

Resignation of Mrs. Eloise H. Galloway as stenographer in the President's Office, effective November 1, 1931.

Appointment of Mr. Earl R. Keller as graduate assistant in Mathematics at a stipend of \$600 for the year 1931-32.

Temporary appointment of Mr. James A. McDonald as field agent in tobacco marketing at a monthly salary of \$300, effective November 1, 1931, and to continue for such period as seems desirable for the extension service

Resignation of Mr. J. G. Pelphrey, assistant in the Department of Chemistry, to become effective with the close of business September 30, 1931.

Appointment of Miss Mary Ada Honey as secretary and typist in the University Library at a salary of \$90 a month, effective October 1, 1931.

Appointment of Andrew M. Harris, assistant county agent of Fayette County, effective July 30, 1931 to December 31, 1931, at a salary of \$100 a month.

Appointment of John William Holland, assistant county agent of Clark County, effective August 1, 1931, to August 31, 1931, at a salary of \$166 2/3 a month.

Appointment of Walter C. Scott, assistant county agent of Simpson County, effective August 11 to August 31, 1931, at a salary of \$100 a month.

Appointment of John T. Cochran, assistant county agent of Fayette county, effective August 11 to December 31, 1931, at a salary of \$100 a month.

Increase in malary of Miss Katherine Hammack, secretary to the Placement Service, College of Education, to \$90 a month, effective September 1, 1931.

On motion, duly seconded, the Board adjourned.

Respectfully submitted,

Wellington Patrick, Secretary Board of Trustees