

*Eastern Progress*

*Eastern Progress 1968-1969*

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Eastern Kentucky University

*Year 1969*

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Eastern Progress - 22 May 1969

Eastern Kentucky University

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## Congressmen Seek Student Opinions, Gripes

By JOE EDWARDS  
News Editor

Two U.S. Congressmen were on campus Tuesday to seek student views in light of unrest at colleges in America.

The congressmen, both members of the House of Representatives, were Bill Brock of Tennessee's third district and John H. Buchanan of Alabama's sixth district. Both are Republicans.

The men met with the Student Council late Tuesday afternoon for about 30 minutes and met with a group of about 25 students for approximately 90 minutes Tuesday night.

Brock told the Progress that he and Buchanan are visiting campuses this week "to get at the problems" from college students' viewpoints.

"We are here to listen," Brock emphasized. The congressmen this week visited Fisk and Vanderbilt universities in Nashville, Tenn., Transylvania College in Lexington, and were to have visited the University of Chicago today.

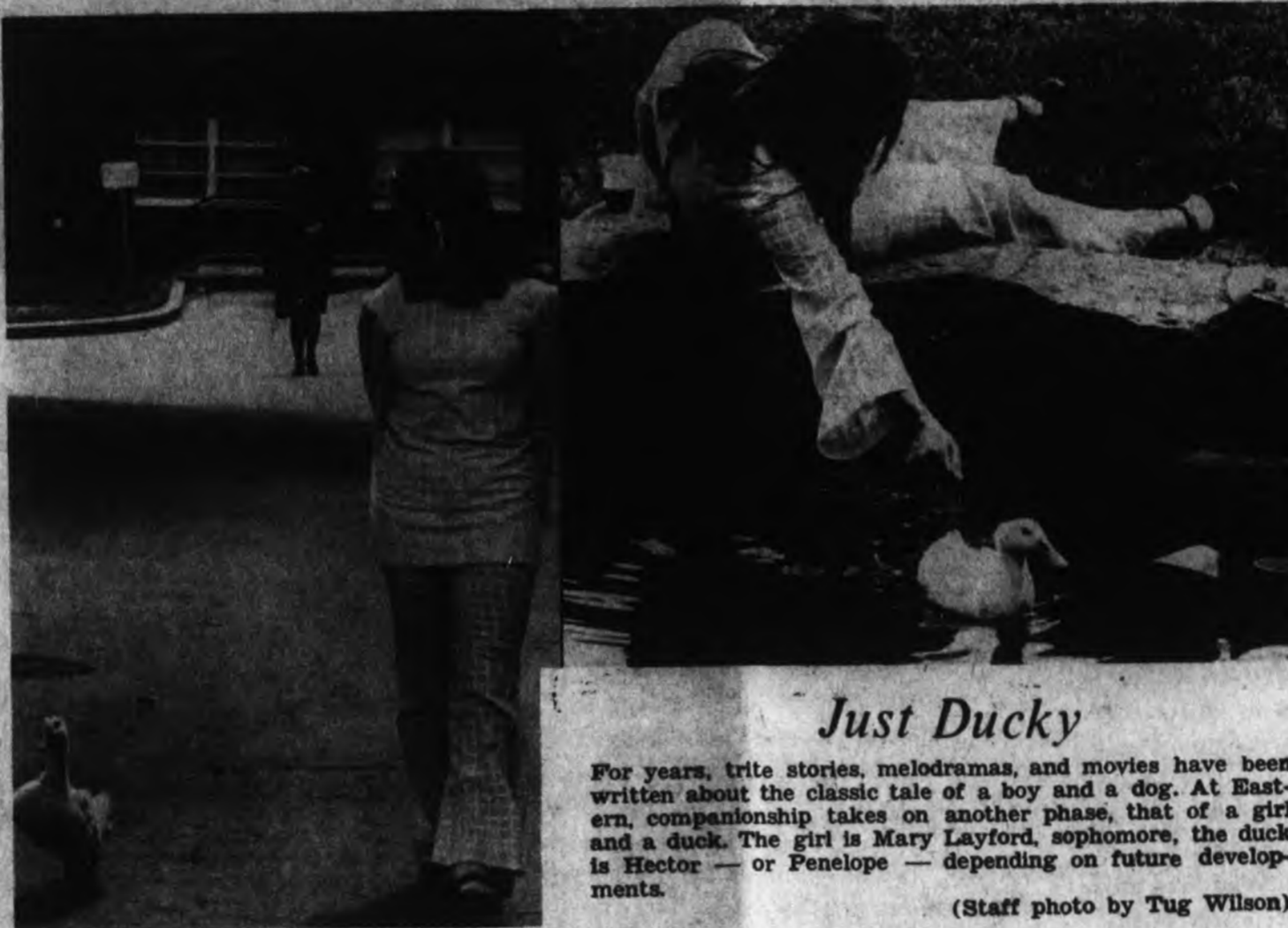
Brock said that several other congressmen also are visiting college campuses to get student viewpoint. In his fourth term and seventh year as a congressman, Brock

said that he "foresees no future legislative outcome" as a result of the visits. He said that the visits are being taken at the congressmen's initiative and expense.

Concerning student views at Eastern, Brock said that EKU appears to differ from other schools in that student grievances here "have been limited to the administration."

The pipe-smoking, middle-aged legislator also noted that he "sensed no racial problems here" from his visit. He further added that he is sympathetic toward "much that is said" by collegians.

"A great many of the student demands or requests are constructive and might enhance the responsibility of universities here," Brock said.



### Just Ducky

For years, trite stories, melodramas, and movies have been written about the classic tale of a boy and a dog. At Eastern, companionship takes on another phase, that of a girl and a duck. The girl is Mary Layford, sophomore, the duck is Hector — or Fenelope — depending on future developments.

(Staff photo by Tug Wilson)



## Regent Seat Draws 5

Five applicants have filed for next Wednesday's election for the student seat on Eastern's Board of Regents.

Applicants are Craig Ammerman, James Culbertson, David Meeks, Thomas Pinkerton, and Robert Warfield.

Voting will be from 10 a.m. to 5 p.m. at four polling places designated this week by Neill Day, chairman of the election.

Polls will be the Student Union lobby and in Palmer, Martin, and Clay residence halls. Students may vote at any of the polls and will be required to show their I.D. cards which will be punched after students vote.

All full-time, undergraduate students, including this year's seniors, will be eligible to vote.

The election is necessary since the president-elect of the student association, Jim Pellegrino is not a permanent resident of Kentucky and therefore is ineligible to hold a seat on the Board.

The applicants were subject to verification this morning of a required 2.0 grade point index and verification of their permanent residency in Kentucky.

Official campaigning for the election could have begun today after the verification.

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## Jennings' Walk-On Role Takes Top Billing

By JOE EDWARDS

ABC newsman Peter Jennings came to campus last Thursday and Friday to film a feature about Eastern but his walk-on role here won him temporary top billing.

Jennings, formerly anchor man for ABC news and its counterpart to Huntley and Brinkley and Walter Cronkite, also spoke Thursday night in Hiram Brock Auditorium under the auspices of Eastern's Public Affairs Forum.

The feature about Eastern was shown Tuesday evening on nationwide television and included interviews with President Robert R. Martin, Edmund Moonaw, professor of political science, and Jim Pellegrino, sophomore and president-elect of the student association.

The feature lasted about five minutes and was shown on ABC's Evening News with Frank Reynolds and Howard K. Smith. The feature also included several shots of the campus.

While here, Jennings also filmed interviews with Dr. William Sexton, chairman of the Department of Industrial Technology, Robert Warfield, vice-president-elect of the student association and a black student leader, and Craig Ammerman, editor-in-chief of this year's Progress.

### Large Crowd

Jennings' speech drew a large crowd which responded with a standing ovation, while his appearance throughout campus attracted curious glances from students, faculty members, and administrators.

The handsome, 30-year-old newsman and a three-member camera crew spent three hours last Thursday afternoon and most

of Friday gathering and shooting material for the feature story. Perhaps the most striking quality Jennings displayed here was the intensity with which he did his job.

He spent more than an hour last Thursday afternoon sitting

in the campus ravine questioning a group from 12 to 20 students about Eastern and the contemporary world plight.

The Canadian-born Jennings gave equal time to about 35 persons, mostly students, who sur-

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## Regents' Decision Supported

On the request of Student Government President Steve Wilborn, Kentucky Attorney General John Breckinridge has released his opinion concerning the legislative authority of the Board of Regents to empower the president of the university to suspend students.

The request for opinion stems from the action by Eastern's Board of Regents on March 19, in which they gave the president the power to "suspend any student who is guilty of disruptive or coercive activity against the University and ask that he be removed from the university until he has been given an opportunity for a hearing before the Student Welfare Committee under the provisions of KRS 164.370."

Furthermore, the Board's action states that "if such student returns to the campus, or attempts to remain on the campus after he has been suspended by me, he shall be arrested for trespassing. Also, if any non-student enters the property of the University for the purpose of disrupting the University or intimidating the members of the University community he shall be promptly arrested and charged with trespassing."

The text of the attorney general's statement of opinion is as follows:

KRS 164.350 provides that the government of each state-supported institution of higher learning in Kentucky is vested in its



## Congressman Bill Brock Council Recommends Health Service Changes

By JOE EDWARDS  
NEWS EDITOR

A proposal with 10 recommendations for Eastern's Health Services was approved unanimously Tuesday by the Student Council.

The proposal, which is not binding on University policy, basically would expand campus health services.

Recommendations include that:

A qualified doctor and nurse be hired for consultation during the night besides the day.

Psychiatric services be extended to accommodate all students needing or desiring such help.

An ambulance be available at all hours to transport students to off-campus hospitals in case of emergencies.

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## Peaches & Herb Duo Performing At Prom

By KAREN SCHMIDT  
WOMEN'S AFFAIRS EDITOR

The popular singing duo "Peaches and Herb" will present a pre-prom concert Saturday night, 7-9 p.m. in Hiram Brock Auditorium.

Singing together for two years, Peaches and Herb have had four hit records to their credit; "Let's Fall in Love," "Close Your Eyes," "For Your Love," and "Love Is Strange."

Virginia-born "Peaches" in real life Marlene Mack, migrated to New York City as a teenager. Her professional career started in 1962 when she joined a vocal group called the "Joy Tones," and also performed as a studio background vocalist.

Herb Fame spent his pre-singing days working in the United States mint in Washington, D.C. As a spare-time record salesman, Herb contacted a producer of Date records and received an audition.

About two years ago, an independent producer heard Peaches, then lead singer of a singing group, and Herb Fame harmon-

izing "Let's Fall in Love." They were contracted as a duo by Date Records. Since then, the duo has released four albums in addition to their hit singles.

Peaches' musical tastes extend from Country and Western to jazz. Nancy Wilson is her favorite vocalist. "Although I think she's the greatest, I would never try to imitate her. In this business originality is the only key to success," asserts Peaches.

Entertaining at the Junior-Senior Prom will be the "Heywoods" group from Cincinnati, Ohio. Held in the Student Union Building Cafeteria, from 9:30 p.m. to 1 a.m., the prom will honor the Queen candidates for King and Queen. Candidates for Queen are Jane Woods, Kathy Phillips, Pat Newell, Sandy Wayrich, Jeanne Chiseck, and Linda Phillips. King candidates are Dave Coates, Jeff Okeson, Neill Day, Dan Crum, Ken Barry and Gary Lightner.

Freshmen women who attend the prom will be given special 2 a.m. permission. No other changes in women's hours will be made.



Peaches And Herb

## Dr. Martin To Speak Today To Speech Union

President Robert R. Martin will address the Free Speech Union today (Thursday) at 5 p.m. in the Grise Room.

"Eastern Kentucky University: Yesterday, Today and Tomorrow" will be the topic of Dr. Martin's talk, the fourth in a series of lectures delivered under the auspices of the Union conceived four months ago by the Student Council.

Following Dr. Martin's talk, a film, "No Vietnamese Ever Called Me Nigger," will be shown, also in the Grise Room. The film is scheduled for 7:30 p.m.

Free Speech Union chairman Dan Kent told The Progress the film was obtained from the National Student Association for \$200. It will be shown only once.

## ROTC Decision Next Week

By JOHN PERKINS  
STAFF WRITER

The long-awaited report on ROTC studies will be made available to public scrutiny early next week, it was announced yesterday by the committee chairman, John D. Rowlett.

The committee's report, said Rowlett, is now in the hands of Dean Stovall's Council on Academic Affairs.

Rowlett, who is the dean of the College of Applied Arts and Technology, said that his concern is that the student association will take a long critical look at the report, and will make their official attitude toward the report known to the students as soon as possible.

The committee, which Rowlett said "actually began study of the ROTC system at Eastern in December, 1968, has worked with the various ROTC programs from different schools throughout the Mid-west.

The committee's prime considerations in the composition of the report were threefold, said Rowlett: The attitude of sister institutions toward ROTC; the attitude of male alumni of Eastern; and the views of the Department of Defense concerning the ROTC programs here at Eastern.

"We felt," said Rowlett, "that Eastern should develop a program in ROTC to suit its own situation. . . we should not have to adopt the programs of other institutions if theirs do not suit our own needs."

# DILEMMA

## Academicians, Politicians Faced With Important Decisions In Next Six Months

(Editor's note: This is the conclusion of a two-part series by Progress editor Craig Ammerman examining the state of Kentucky public education as it relates to the 1970 session of the Legislature.)

By CRAIG AMMERMAN  
Editor-in-Chief

With problems of funding, restructuring and creating yet unresolved, Kentucky public education stands at variegated crossroads its future directions unknown for at least six more months.

Next January, the 1970 session of state lawmakers, commonly known as the Legislature convenes in its biennial meeting. Education may well be its biggest headache.

First, and probably foremost in the minds of many legislators, are the demands of public school teachers for more pay. Kentuckians do not want episodes similar to Chicago and New York where school teachers have gone on extended

strikes, and thus there may be great pressure to enact these pay raises.

The last time elementary and high school teachers demanded a raise, they got it. The raises totaled a \$24 million increase, and soon thereafter the entire state-supported system was reeling under a \$24 million deficit.

So there will also be pressure to avoid another such deficit. In other words, new monies must be located. The teachers union has suggested a five per cent increase in tax on coal. Eastern Kentuckians, the benefactors of the rich coal deposits have protested vigorously and promised a fight to the end.

Secondly, education's budget will have to include \$10 million for the construction of a four-year college in northern Kentucky, an entity established two weeks ago by Gov. Louie B. Nunn and the University

of Kentucky board of trustees.

Then there is the pending entry of the University of Louisville into the public system. Gov. Nunn may have thrown a haymaker into this proposal last week when he proclaimed that any plans to include U of L into the system would be void if the Legislature exempted food, clothing or medicine from the five per cent sales tax.

Democratic lawmakers, pressured by constituents upset with last year's sales tax hike, have strongly considered such exemptions, and the overwhelming majority they hold in both houses of the Legislature would enable a joint effort in this direction to succeed.

The community college system is under survey by an outside consultant's firm, and at least some changes there are likely. Proposals to take control of the community colleges away from UK have gained

considerable support. A state-wide agency appears a good possibility.

Another proposal which has created interest pro and con is one to take individual autonomy away from boards of regents and create a state system similar to the one in California.

Educators fear repression of academic freedom if too much authority were placed in the hands of politicians. Supporters of the proposal say too much duplication in efforts, thereby creating a waste of taxpayers' money, takes place. Statewide control would prevent this duplication, supporters say.

There is also some support generating to make the office of superintendent of public instruction, education's highest office in Kentucky, an appointed one rather than the present elective method.

Something else state educators may have to deal with are repres-

sive bills aimed at demonstrators and disruptors. Kentucky is receiving its first real taste of the 'student revolution.' In states where unrest has been common for a period of time, lawmakers are considering numerous proposals to 'crack down' on the protestors. A similar reaction could well come in Kentucky.

And, too, the ever-increasing demands of the four regional universities, UK and Kentucky State College will be evident. They, like all the rest, will be seeking money, more than ever before.

From whence the funds will come is still an unknown quantity. Increases in tuition, both in-state and out-of-state, seem probable. The coal tax would solve the public school teacher's demands. But an increase in the percentage of state funds allocated to education seems very unlikely, because other agen-

cies are also seeking more money. Still other questions must be answered.

Is central control of higher education a good plan if it can stop duplication of programs and efforts? Should the community college growth be halted or even expanded, and should control of this system be taken away from UK? Will the Legislature attempt to pass bills aimed at protestors? Will the University of Louisville's entry into the system be blocked by sales tax exemptions? Can state lawmakers find enough money to continue quality education?

When determined, answers to those probing questions will set the future direction of public education in this state. Indeed, much blood-letting and behind-the-scenes bargaining is still in store for educators and politicians as they seek solutions feasible and acceptable to both.

# The Eastern Progress

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Editorials represent opinions of editors and not necessarily those of the University, faculty or student body.

## Nixon's Proposal Promising

### Vietnam: Is There An End In Sight?

President Nixon's latest proclamation on the Vietnam conflict has stirred the hopes of the millions who pray for a 'just and honorable' end to that useless loss of American lives.

It is wondered however, if college students can put any more faith in Nixon's first big effort than were placed in the weekly offerings from former President Lyndon Johnson.

Nixon pledged an end to the war one year following the first troop withdrawals, a feat he has promised will be coming soon. It seems now that Nixon has placed himself right squarely in the middle, on the spot so to speak, and because of that will be unable to carry out his pledge.

With anti-war sentiment once again building to fever pitches, Nixon's political future would seem in doubt if he is unable to deliver a half million fighting soldiers back to the U.S. in short order.

And by promising an end within a year after troop withdrawals, Nixon has given the opposing forces perfect reasons to insure that his pledge will be impossible to keep. In other words, if the Viet Cong

know Nixon is on the spot and desperately needs to deliver on his promise, they will surely do their best to prevent such an action and thereby enhance their position at the peace talks.

It appears this Administration is coming to accept the inevitable fact of a coalition government in South Vietnam, with the National Liberation Front, political arm of the Viet Cong, playing at least some role.

That realization is necessary to ending the war, because the opposition will accept nothing less.

It also appears this Administration has accepted the inevitability of being unable to score a military victory in the North. When troops are finally withdrawn, the same conditions that existed even before the French and Chinese went in will exist, and over 50,000 Americans will have died defending something.

Maybe this conflict will prove to the American people that priorities must be at home in the ghetto, in the city and in the education system, that muscle power is no longer the way to successful foreign policy.

If that lesson is learned, then maybe 50,

000 men will not have died for nothing. The future of humanity may shine brighter, and that is the greatest victory possible.

Yes, an end to the most useless war of all time appears in sight. But, that end does not look very near and we, as college students and citizens, will probably be confronted with this plight for at least two more years.

## Vital Decisions Face Regents

When the Board of Regents convenes June 4, it will be faced with some decision-making that will have far-reaching effects.

The student referendum, calling for a \$4 per semester increase in fees to improve student-oriented services, deserves passage. If the Board is concerned with student opinion, then it will approve this measure. Students voted by more than three-to-one for the increase.

The pass-fail grading option still awaits approval. An educational experiment that has proved worthy elsewhere, pass-fail allows a student to expand his knowledge outside major fields without fear of poor grades. It deserves to be passed.

The Student Affairs Report, still cluttered with possible instances of double jeopardy, warrants a careful look. Student Council resolutions dealing with individual rights and with the issue of double jeopardy will likely be sent to the Regents. They deserve proper consideration before this important document becomes a student code.

The Board of Regents does, indeed, have an important session approaching. We urge them to weigh very carefully all the facts and implications before reaching any decisions.

## ROTC Questions To Be Answered

Finally, the ROTC committee is making its report.

When that decision is released next week, we can only hope over a year's study will have substantiated some of our basic philosophies.

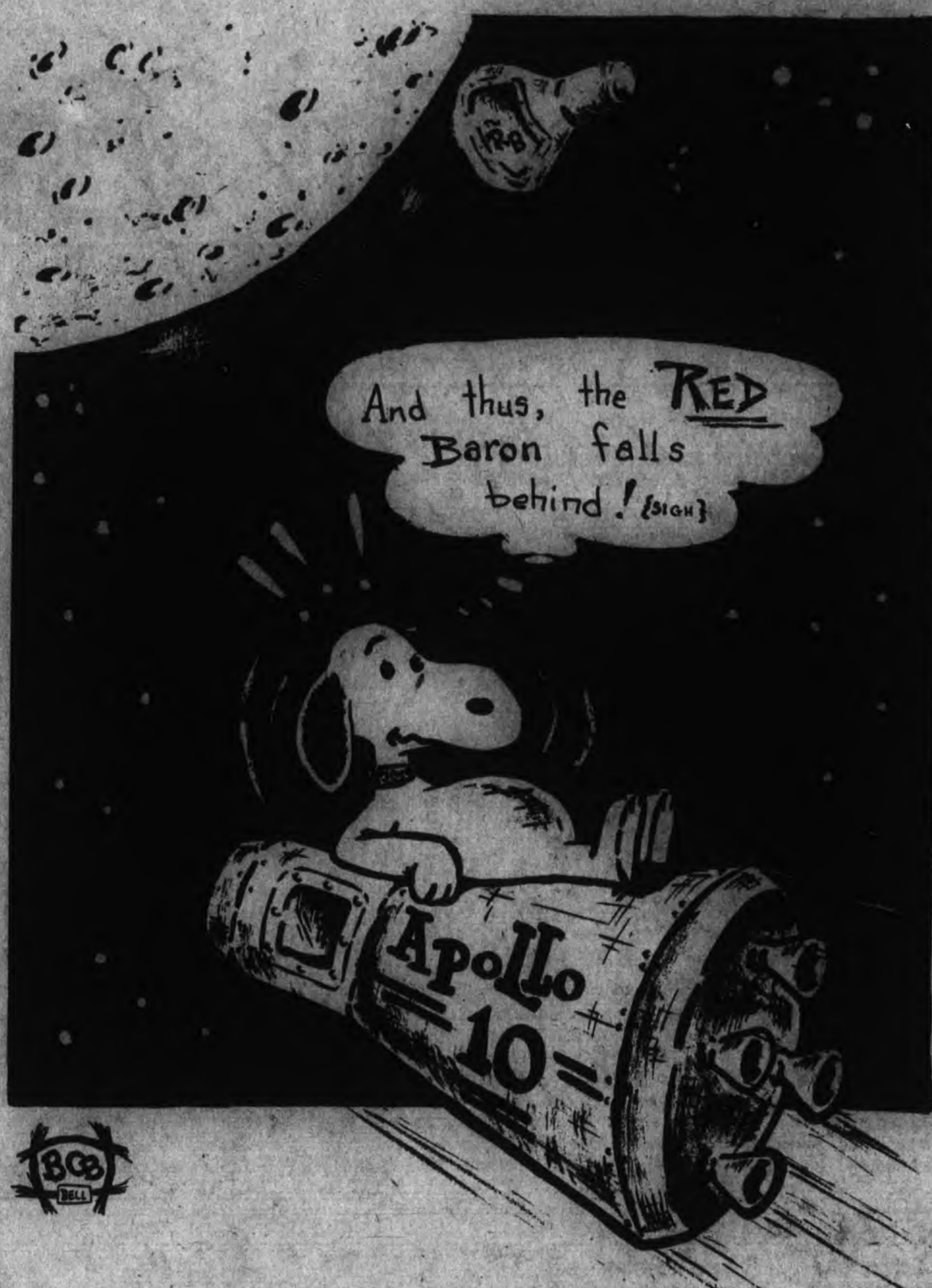
In short, we believe ROTC should not be mandatory.

When many campuses are continually violent protestors demanding the removal of ROTC from the campus, we only request that military training not be mandatory.

When many campuses are continually disturbed by collegians protesting to the presence of service recruiters, we only request that we be allowed a choice as to whether or not we wish to take ROTC.

When many campuses are constantly at the state of upheaval because many students demand a free say in what courses they may pursue, we only request freedom of choice in those areas where it seems only fair and just that it be granted.

These requests don't seem demanding or  
(Continued On Page Three)



## LETTERS TO THE EDITOR

### Competence Questioned

Dear Editor:

I have borne in pained silence for a year the majority of your "As I See It" editorials. The source of my pain has not often been your theme which, although at times inconsistent with each other, should be and are a manifestation of your free expression. It is not what you say, Mr. Ammerman, it is rather the inadequacy and lack of professional skill with which you say it.

An excellent point in case (which compelled me to write this letter), is last week's (May 15) "As I See It" feature, entitled "The Inside Scoop on Robert Martin." It is a piece which may well be characterized by its triteness of expression, disorganization, oversimplifications, generalizations, and righteous assertions (which can not be made — even in editorials — without logical and fact-backing progression: "Opinion" is a license which nevertheless requires substantiation). Your theme in itself is not offensive, it is, rather, the careless rambling with which you present it which assaults the intelligence of its readers and gives the appearance of having been slapped together in a real bind.

Unfortunately I hadn't in fact, "been waiting all semester" for the "Inside Scoop" on Robert R. Martin. I am, however, interested that you brought it up — it does "go without saying" that President Martin is "president of this institution" and I am concerned with his image as "sitting high in some ivory tower" being completely anti-everything that is for students.

You proceed to enlarge on this image somewhat and although "the list could go on," you assert that "that seems like enough for right now."

"Overflowing at the gills with anger," you emotionally assume the defense of Dr. Martin who, like a late-late movie, "never gets his day in court, or receives the opportunity to take the witness stand."

"Well" (if I might borrow your expression), you then proceed to draw a very justified appraisal of several of Dr. Martin's outstanding achievements, emphasizing his flexibility and willingness to reason with a very fitting reference to the recent relaxation of women's hours.

Again you "guess that is enough" and begin your own rather strangely placed defense for "praising the Establishment." No, this isn't "the best of all possible worlds," "ROTC should not be mandatory," classes — "voluntary." Perhaps the biggest problem is a lack of communication," etc. But in the end, as you see it, "it's about time to give a little credit where credit is due."

As I see it, Mr. Ammerman, in a field as competitive as journalism, excellence — and excellence only — regardless of heavy responsibilities, late hours, deadlines, or other limitations is the only criteria for judging journalism. I am sure it is discouraging to have your work criticized (regardless of how you may or may not value the source of criticism), and I would hesitate to say that you simply can not write. Hopefully, what has been exhibited does not represent your best efforts.

Sincerely,  
Mary M. Campbell

## New Frontiers Opening To Seniors

A new type of frontier will be opened to this year's graduating seniors.

It won't be based on the bear-tracking experiences in the frontier of wilderness which Daniel Boone explored.

It will be based on the experience of a man who has and who continues to explore the endless frontier of science.

Historically, the frontier that Daniel Boone faced was of great significance for Kentucky.

But today with all the technological innovations, our quest for adventure exceeds beyond the Kentucky state line; it probes both inner and outer space. It is a New Frontier that we face today.

"The New Frontier of which I speak is not a set of promises — it is a set of challenges. It sums up not what I intend to offer the American people, but what I intend to ask of them.

(Continued On Page Three)

## AS I SEE IT

### What It's All About

by craig ammerman

Last Thursday's visit by ABC newsman Peter Jennings was quite an example of what a university is supposed to be all about.

No doubt, Jennings was not well received by administrative officials. They weren't particularly fond of paying a speaker to stimulate students to think about things like society, education and women's rights.

But he did stimulate discussion and thought and provoked students to think about the world around them.

And that, Virginia, is what this bit of education is painted as being.

But are we really being educated?

Or are we only repeating what's laid down before us and closing the mind to any thoughts of a troubled world?

Is education relevant to society, or even meaningful to its participants? Is the war in Vietnam serving any purpose whatsoever? Are we really giving blacks and the poor anything more than tokenism? Is the image of 'free America' falling to such depths that it is beyond recovery in many areas?

Those are the major things Jennings concentrated on. And, he accomplished what he set out to do — make students think.

Many questions remain unanswered. But before Jennings reminded many of us that the outside world still existed, we had even quit asking ourselves.

Jennings closed his address by urging students to rock the boat a little more than they previously had.

Many observers classified that statement

as 'radical,' claiming the speaker was attempting to incite students to physically rebel against whatever authority could be found.

That is not what Peter Jennings intended.

He emphasized that society needs a drastic restructuring. He said less money should be spent destroying Southeast Asia and trying to reach the moon. That money should be relocated in cities, in programs for the black and the poor and in education.

He was urging students to exert pressure on the powers-that-be to bring about these changes.

And he was probably right when he said that change was coming much too slow, that the voice of the scholar was no longer heard.

The shame of it all is that Jennings' visit should not have stimulated so much discussion and inner thought. It should already exist.

If that is the case then, is education really meaningful? Or, maybe, is it beginning to become relevant?

Are we only training ourselves to take a place in a society that could be far from sufficient?

It's for sure I don't hold the answers. It's possible that there aren't definite solutions.

But what's important is that we're at least searching our minds and trying to make individual determinations.

And, as I see it, for that reason the visit of Peter Jennings was worthwhile. We need more of the same.

## FEIFFER

I GOT INTO AN ARGUMENT WITH A CLIENT WHO COMPLAINED ABOUT MY AGGRESSIVENESS.



SO I KILLED HIM.



I TOLD MY WIFE AND SHE TOOK THE CLIENT'S SIDE.



SO I KILLED HER.



I TOLD MY COLLEAGUES AND THEY SAID I WAS OVER-REACTING.



SO I KILLED THEM.



I TOLD THE JURY I ONLY KILLED PEOPLE WHO WERE OUT TO GET ME.



THEY FOUND ME NOT GUILTY.



MAKES A MAN FEEL GOOD TO LIVE IN A SOCIETY WITH SHARED VALUES.



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# Direction Of Court Rests With Nixon

By CARL T. ROWAN

WASHINGTON — Whether it is lower Pennsylvania Avenue or upper Connecticut, the conversation in the nation's capital has been pretty much the same for days.

People talk about "how incredible it is" that a brilliant man like Abe Fortas would commit an indiscretion that has put him in the history books as the first Justice driven off the Supreme Court.

When they finish shaking their heads and exclaiming that "he needed that Wolfson money like he needed a hole in the head," some sobering realities take over.

People begin to talk about the role of the White House and the Justice Department in forcing Fortas to resign, and they understand a little better just how powerful the Presidency is compared with the judicial, or even the legislative, branch of government.

They come face-to-face with a point I tried to emphasize during the political campaigning last fall: in choosing a President the American people do more than select a television face or buy a personality package cleverly wrapped by Madison Avenue. They give to one man more power than is held even by those who consider themselves all-powerful dictators.

Alexei Kosygin or Leonid Brezhnev can only dream that they might have the capacity to reshape the tone and temper of Russian life the way Richard M. Nixon is going to be able to affect the mood and quality of American life for perhaps two generations.

Thanks to the fall of Fortas, Nixon now seems certain to be able to name a majority of the Supreme Court. He must replace

## Resolving The Problem

Back in the colonial period, collegians were young. Fourteen years young. Today college students are older. Three to seven years older.

During the colonial period, universities had to assume the role of a parent, i.e. the "in loco parentis" theory. The students were still teeny-boppers; going to college was their first break from home. After all, according to present-day standards, these kids were still junior-high schoolers.

Today we still have the concept of "in loco parentis" governing our university. Yet the age level and the maturity level differ radically from the early institution of American colleges. According to W. Max Wise, older students are increasing in number more rapidly than younger students due to part-time studies, new emphasis on education by industry and mobility among occupations that involves retraining.

What universities are educating today are adults.

Adults are entering universities who take social science and business administration for their majors. Adults whose attitudes are practical. After all, their goals are most often vocationally oriented. Adults who abhor restrictions on so-called guaranteed liberties, such as freedom of speech and assembly, which can involve criticisms of university administration. They have an adult personal security at stake. It's too valuable for them not to question certain administrative decisions.

Perhaps the university administrations should examine the age, maturity level and vocational goals of the students. Perhaps then they can come up with some answers. Perhaps then the problem of student vs. administrative relationships can be resolved.

Fortas immediately and name a new Chief Justice within a month. Age and illness seem certain to create three other vacancies before the end of Nixon's term.

There is no guaranteed calamity in this. Nixon can be expected to name sane, responsible men who will not simply bestow their blessings as the country is wheeled backward into robber-baron days.

But the country's ordeal today is over how, and how soon, the poor, the black, the young are to be brought center-stage and made to believe — indeed, to know — that this is their country.

Whatever may be said of Mr. Fortas's sense of propriety or his inclination to amass wealth, he did show a warm and human concern for the weak, the poor, the alienated. The country can ill-afford to see these qualities vanish from the Court.

Even though the Fortas affair illustrates that where the Court makes itself vulnerable the executive branch can dominate, no American who came to adulthood during the past 30 years will underestimate the importance of the Court or of the appointments Nixon will make.

Franklin D. Roosevelt knew its importance when he tried to pack the Court to ease a path for his New Deal legislation.

Later-day reactionaries have also known its importance, for they have tried to discredit it, to override it with constitutional amendments, and to "impeach Earl Warren."

If the country ever emerges from the current pangs of racism and reverse racism, if we as a nation ever prove that man is bigger than bigotry, the first laurels must go the liberal Court under Warren and Fred Vinson before him. These men reached

## ROTC Questions

(Continued From Page Two)

out of place, yet we have not even been given an honest break.

Under no circumstance, should any institution engaged in the business of higher education be in the position of forcing its undergraduates to take military training.

Under no circumstance should any institution claiming a degree of academic freedom align itself so closely to the federal government and its policies by demanding that freshman and sophomores participate in ROTC.

It's about time, indeed way past time, that this University quit teetering on the fence and firmly declare its position.

And when that finally happens we hope this campus will have rid itself of mandatory, military training.

## New Frontiers

(Continued From Page Two)

"It is time for a new generation of leadership to cope with new problems and new opportunities. For there is a new world to be won."

These are the words of the late President John F. Kennedy, which were spoken in July of 1960. It seems that this year's Commencement speaker Malcolm Scott Carpenter heeded this message when he accepted the challenge to orbit the globe three times in May of 1962. He also has heeded the Kennedy challenge as he penetrated the depths with Navy Sea Laboratory Project.

Looking ahead to the new challenges that face our graduating seniors, it will be a stimulating experience to listen at this year's Commencement to the philosophy of a man who has and is continuing to explore that New Frontier.

out for bolder definitions of justice when the executive and legislative branches were paralyzed by timidity and indifference.

These were the men who saw our Constitution as a living document, embodying concepts of justice that broadened and adjusted to the new wisdom and the new needs of America's people.

Only this view of our Constitution could permit the overturning of Plessy vs. Ferguson — the historic ruling that racially "separate but equal" institutions do not meet the test of justice.

Only this kind of view of the Constitution could have put human rights above property rights in myriad circumstances.

Only this kind of view of the Constitution could have cloaked even the indigent in the right to have counsel or draped around defendants the protections that have angered so many conservatives.

And it is the Fortas resignation which reminds us that Mr. Nixon has a chance to alter this, for good or ill.

What a way to be reminded how important our Presidential vote was — and will be.

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# The View From Here

By KARL PARK Progress Sports Editor

The College Division Mideast football championship has been moved from Murfreesboro, Tenn., to Baton Rouge, La. by the Executive Committee of the NCAA. There was also a realignment of the College Division regions.

On the basis of the realignment, 38 teams will be in the new Mideast region. This new setup includes nine states — Ohio, Kentucky, Tennessee, Louisiana, Mississippi, Alabama, Florida, Georgia, and South Carolina.

The new home for the Mideast football championship will be Memorial Stadium. Hosts will be the Gulf States Conference, Southern University, and Grambling College. This stadium seats 23,000.

The Mideast champion has been decided recently by the winner of the Grantland Rice Bowl held annually in Murfreesboro, Tenn.

Also, a third division has been added for post-season competition in college football. The name of this new division has not been decided. However, the Executive Committee has authorized the playing of two regional championship games for institutions with a small enrollment.

**MOREHEAD CAPTURES OVC BASEBALL CROWN**  
Morehead annexed the baseball crown this past weekend by defeating the Western Hilltoppers, 7-6 and 6-3. Mike Punko and Reese Stevenson were the hitting stars for the Eagles. Punko slammed two home runs and Stevenson added one round-tripper.

Jim Martin and southpaw John Lysien picked up the victories for Morehead, who ended its season, 22-6. Western's record dropped to 17-11.

Middle Tennessee was the baseball champion last year. Eastern was the OVC champ in 1966 and 1967.

# Colehour Sets Two Records As Eastern Places Second In Meet

BY J. DARNELL PARKS  
PROGRESS STAFF WRITER

Eastern was one of the eight O. V. C. schools that took part in the annual O. V. C. track meet held at Western Kentucky University May 16 and 17.

the meet with 57 points behind Western, who tallied 102 points. During this meet 10 records were broken (O. V. C.) and numerous school records were set.

All-American Grant Colehour set records in the mile run and the three mile run. His time was 4:08.1 (4:11.7 old record) for the mile and 14:03.4 for the three mile run. The old mark was 14:23 which another Eastern All-American, Ken Silvious set at Johnson City, Tennessee, last year at the O. V. C. meet.

Wilbert Davis, who stands an excellent chance to become an All-American pole vaulted 15' 7" inches. The old record 15' 8" was held by Henry Wadsworth of Western.

Jim Woods came on strong to win the 120 high hurdles. His time was 14.6, just missing the old record of 14.1.

In the 100 yard dash, Eastern's Arthur Howard was edged out by Ken Burton. Burton's time was 10.0. Howard finished with a time of 10.1 and also finished fourth in the 220 run.

Also in the three mile run, Silvious ran second. Mike Nicholson finished third

in the discus. He set a new school record, with a throw of 154' - 8 1/2".

In the N.C.A.A. meet that is to take place June 17, 18, and 19, Eastern will have five runners to represent the school. The meet will convene in Knoxville, Tennessee.

The members of this five man team will be: Arthur Howard--100 yard dash, Jim Woods--120 high hurdles, Wilbert Davis--long jump and pole vault, Ken Silvious--three mile, Grant Colehour--three mile and mile run.

Silvious, has the fastest sophomore three-mile time in the nation.

Coach Smith said, "Colehour has just finished a fantastic O.V.C. run with victories in the mile and three mile run." Colehour was also the O.V.C. cross-country champion in 1965, 1966, and 1967.

In Colehour's four years here at Eastern, he has the following victories in the conference meet: 1966, two -mile run; 1967, one mile and three mile run; 1968, one mile run; and 1969, one mile

(Continued on Page Five)



## Davis Breaks Pole Vault Mark

Wilbert Davis set an OVC mark in the pole vault event, bettering the old record held by Henry Wadsworth of Western in 1965. Davis vaulted to the height of 15'7". (Staff photo by Craig Clover)

## Tennis Team Finishes Fourth

BY JIMMY HOUSE  
PROGRESS STAFF WRITER

Eastern's tennis team ended the season last week, finishing fourth in the Ohio Valley Conference Tournament at Western. Tennessee Tech won the event, scoring 85 points. Western and Murray collected 64 and 63 points respectively, while the Colonels collected 53. Following the top four were East Tennessee, Middle Tennessee, Morehead, and Austin Peay.

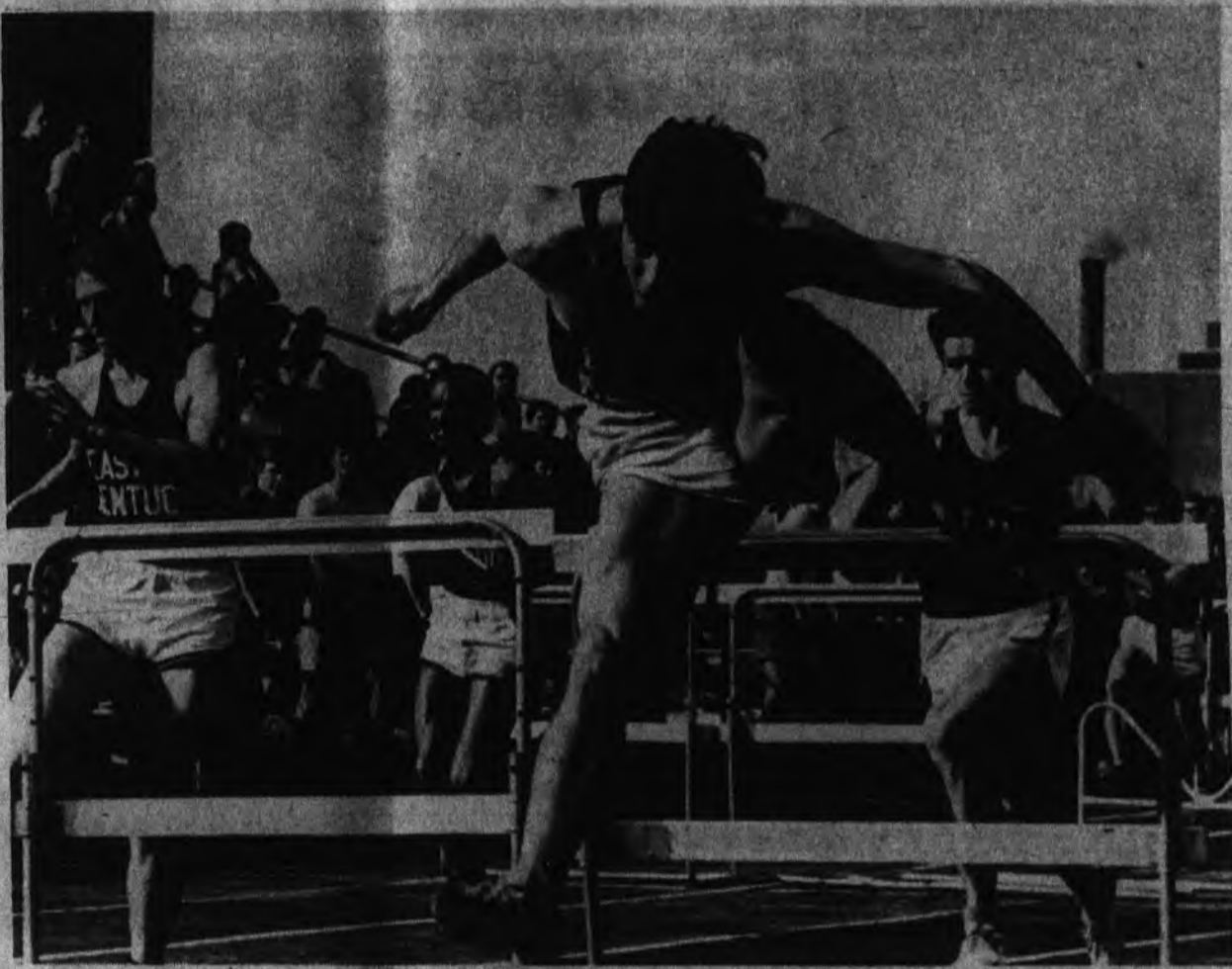
Eastern's Marty Gool defeated Simpson of East Tennessee 6-4, 5-7, 6-4, and Murray's Willet 6-3, 6-3, before losing to Middle's Albano 6-2, 6-2 in the finals of the number one singles finals.

Tom Davis dropped a first round decision to Gilmore of Western, 6-4, 7-5 in the number two singles division.

Lindy Riggins advanced to the finals of the number three singles by defeating Carpenter of Tech 4-6, 8-6, 8-6, and Fannin of East Tennessee, 6-1, 6-4. Murray's Olie Karviala stopped Riggins in the final round, 6-3, 6-3.

Mike Barnes dropped the number four singles first round to Tech's Barr, 6-4, 6-3, while Pat Geron won his first round event in the number five singles, defeating Murray's Trunnell, 9-7, 3-6, 6-3. Geron lost, however, in the semi-final round to Brown of Tennessee Tech.

Greg Stephenson went three (Continued on Page Six)



## Wood Wins 120-Yard High Hurdles

The 120-yard high hurdles in the OVC meet was won by Jim Wood. Wood ran this event in 14.6. Eastern placed second in the OVC meeting with a total of 57 points. Western finished first with 102 points. (Staff photo by Craig Clover)

## Banquet Honors Eastern Spring Sports Squads

BY KARL PARK  
PROGRESS STAFF WRITER

Eastern held its annual spring sports banquet Monday at the Student Union Building. Each sport-tennis, track, golf, and baseball-gave away trophies to honor its top individual players.

The tennis awards were given away by coach Jack Adams. Marty Gool and Lindy Riggins tied for the most valuable player award. Both students went to the finals of the Ohio Valley Conference tournament. Gool competed in the no. 1 singles, and Riggins played in the no. 2 competition.

Athletic Director and golf coach Glenn Pressnell presents the golf awards. Paul Schultz was recipient of the most valuable player trophy. He had a season's average of 74, and made two holes-in-one during the campaign. One of these occurred at the Madison Country Club, and the other was fired at Marshall.

Track awards were presented by coach Connie Smith. The cross country award also had a tie. Sophomore Ken Silvious and Grant Colehour tied for this trophy. Colehour also received the distance award for track.

Coach Smith commented, "When Grant Colehour came here, he ranked 47th in his high school state track meet. He called me and wanted to go out for the team here at Eastern when he was a freshman."

"He just finished his Eastern track career this past weekend. He is a seven-time All-American and 11-time Ohio Valley Conference champion."

Smith also recognized two more track runners. Wilbert Davis carried away the field events award, while Jim Wood was recipient of the dash and hurdles award.

Baseball coach Charles "Turkey" Hughes presented the baseball trophies. Lee Hucker, a senior from Hamburg, New Jersey, won the most valuable player award. Craig Milburn.

(Continued on Page Six)



## Cross Country Award Winners

Ken Silvious, left, and Grant Colehour were co-winners of the cross country award that was given away at the spring sports banquet held Monday night. Colehour set two OVC records at Western — one in the mile run and the other in the three mile run. Silvious ran fifth in the mile run and second in the three mile. (Staff photo by Craig Clover)

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## All-American Swimmer Signed By Coach Combs

Diver Scott Gallant, a 1969 High School All-American, has signed a grant-in-aid with Eastern Kentucky University. Gallant, from Chattanooga (Tenn.) City High School, was signed by Eels swimming coach Don Combs.

"Scott is one of the finest high school divers I've ever seen," said Combs. "He was unbeaten in 25 dual meets in high school. He'll be a real boost to our program."

Gallant has been Chattanooga City diving champion three straight years and captured the Tennessee State title in 1967 and 1968.

He also won the Gulf States

Diving Championship the past two years, was second in the University of Tennessee Invitational the same years.

Last year he was named on the All-American fancy diving team and also has been successful in AAU competition.

Gallant, son of Mr. and Mrs. T. Grady Gallant, was nominated for "Sportsman of the Year" at the Sixth Annual All Sports Awards Night in Chattanooga this year.

A member of the Student Council for three years, serving as parliamentarian as a senior, Gallant also was active with the Key Club, the student yearbook, and the wrestling team at City High.



**Combs Signs Scott Gallant**

Swimming coach Don Combs signed a high school All-American swimmer. The youth is Scott Gallant, a native of Chattanooga, Tennessee. The Eels won their seventh consecutive KISC title this past season.

(Staff photo by Craig Clover)

## Smith Wins Physique Contests

Carl Smith, a senior Business Administration major and weightroom supervisor at Eastern, in the last two weeks has captured two physique contests.

On May 11, Smith won the "Mr. Central Ohio" title along with the "Most Muscular" title. The contest, held in Columbus, Ohio, was sponsored by Curt Hayward and the South Side Y.M.C.A.

On May 18, he earned the title of "Mr. Midwest" along with the Best Legs Sub-division. The contest was held in conjunction with the Mr. Midwest Power-lift contest held at the Central Parkway Y.M.C.A. in Cincinnati.

In August, Smith plans to enter the Jr. Mr. U. S. A. contest in Erie, Pennsylvania.

## Track Runners Disturbed Over No Meals From Scholarships

BY J. DARNELL PARKS  
PROGRESS STAFF WRITER

In-Depth Analysis

At a recent interview it was brought to the attention of the Progress that the track team and other O.V.C. schools do not get meals on scholarships.

Trackman H.J. (Harold) Burke said, "I know everyone would work harder if their meals were

given to them. I also feel it totally unfair, due to the fact that we are now a university."

The runners feel it is unfair in this way. Eastern has the fastest sophomore running the three mile in the United States. He is an all-American, yet Ken

Siivious buys his meals while many members of the football and basketball squads receive food as part of a scholarship.

There are eight universities in the Ohio Valley Conference, and not one has signed a man to take part in track or cross country events, Coach Conan Smith reported. So far this year, the reason, Smith said, is that the schools do not feed the athletes in spring sports.

Most of the members of the track team said that they had rather eat than get some of the other things that are given to them in their scholarships.

Another item that was brought up was the question of whether or not the school presidents wish university schools long before to have spring sports, or is it the question of not wanting to put the money out for students to improve the spring sports.

Eastern became a university on July 1, 1966. Yet the track team was running with other university schools long before this.

J.C. Kraiss put it this way. "You can be in the dining hall (Continued on Page Six)

## Golf Team Finishes Seventh

Eastern's golf team finished seventh in the O.V.C. golf match that was held at Park City, Kentucky last week.

Western won the event with a score of 708.

The other O.V.C. schools finished as follows:

1. East Tennessee	712
2. Morehead	718
3. Middle Tennessee	720
4. Austin Peay	727
5. Murray	729
7. Eastern	734

8. Tennessee Tech -----745

Golf coach Glenn Fresnell said, "We played very good golf the first two rounds, but then we hit a slump."

Due to rain, there were only 45 holes played in place of the regular 54 holes.

Rick Whitefield won the medalist award. He shot scores of 71, 68, and 37. Whitefield is a student at Western.

The meet was held at Park Mammoth Resort.

## Two Records

(Continued from Page Four)

and three mile run.

Colehour stands a good chance in the upcoming NCAA meet to be held in Knoxville. He will be competing in the six-mile run.

The track team is now undefeated in dual, triangular, quadrangular meets in four years.



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**Colonel Smith To Retire**

Colonel E. N. Smith, head of Eastern's Military Science Department, will retire at the end of this year after 33 years of service in the United States Army. Col. Smith has been head of Eastern's ROTC program since 1961. (Staff photo)

**Library Obtains Series Of Books, Pamphlets**

A series of book and pamphlet collections has been acquired by the John Grant Crabbe Library for the use of students and research scholars. "Black America," "American Radicals, Reformers and Crusaders," and "Nineteenth Century American Authors" are among the titles of the collections added by acquisition from the Scott Agency, Chicago. The collection will be catalogued for use by students, according to Ernest Weyrauch, director of libraries. Other rare items among the \$17,000 in new additions are collections called "The English Past, 1600-1900," "Africa Past and Present" and a four-volume edition of the magazine, "The North American," printed in 1772.

**Jones Elected To Institute**

NEW YORK -- Richard Wayne Jones, Assistant Professor of Accounting at Eastern, has been elected a member of the American Institute of Certified Public Accountants. Mr. Jones holds a CPA certificate from the state of Texas.

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**"RUN ANGEL RUN"**

**Tennis Squad**

(Continued from Page Four)

sets before losing to Western's Jose Coss in the first round of the number six singles. In the number one doubles division, the team of Barnes and Gool advanced to the final round before bowing to Western's number one netters 1-6, 10-8, 6-3. Davis and Geron combined for a first round win in the number three doubles division over Mike Merzewski and Bernie Marrero of Austin Peay before losing to Rombach and Gilmore, Western's number one university class and do not play three team.

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**No Meals In Scholarships**

(Continued from Page Five)

and see a basketball player get his food free and he may be on the third string and may never see action all season. But I guess the thing that really vexes me is to see the football players get their meals, but fore losing to Rombach and Gilmore, Western's number one university class and do not play three team.

**Colonel Everett Smith To Retire In July After 33 Years In Army**

BY BRENDA RAGLAND  
 STAFF WRITER

Colonel Everett Newman Smith, Professor of Military Science since 1964, will retire in July.

Though born in Maryville, Tennessee, and spent his youth in Knoxville, he attended Maryville College, a small Presbyterian School, where he began preparing for a career as a doctor. He graduated in 1935, but due to the depression he lacked the necessary finances to go on to medical school. He decided to try his hand at teaching. He taught junior and senior high general science and biology in the Knoxville City School System for five years. Smith liked teaching. As he put it, "I thoroughly enjoyed the thrill of teaching; there's nothing any better than to see a young person grow and develop." He still keeps in touch with a few of his former students in Knoxville.

While he was teaching and doing graduate work in zoology and bacteriology at the University of Tennessee he met another teacher. Three years later he married her and after only four months of marriage he was ordered one year of active duty in the army. Six months later war was declared. By 1942, he had completed his Field Artillery Officers Course--both basic and advanced--at Fort Sill, Oklahoma.

Smith's assignments from 1944 to 1947 was as a Field Artillery Battalion Commander in Patton's Third Army. He was the Military Government Officer at Krets Weidna until it was taken over by the Soviet troops. By the end of World War II he had advanced in rank to Lieutenant-Colonel. His advance in rank and his desire to make a career of value in which he could be of service to the American people prompted him to remain in the Army.

Smith feels he has been "fortunate" with his assignments. From 1949 to 1950 he attended the Command and General Staff College at Fort Leavenworth,

Kansas. The following two years were spent in India at the Indian Defense Staff College. Col. Smith related some of the hard experiences he and his family faced while in India. At the same time he ironically expressed a feeling of nostalgia for the happy memories of the time he spent there. My wife, and I like India better than any other place where we were stationed," he added. In 1953 Smith was a Senior Artillery Officer in Bangkok, Thailand. While on this assignment he organized an Artillery School, including the training of twenty-four Thai instructors and preparation of instructional and text material in the Thai language. From 1954 to 1956, he was Chief of Personnel for the National Guard Bureau in Washington, D.C.

46th House

Col. Smith said he and his family are in their 46th house. When he returned from duty in Vietnam in 1961, he began to look for new challenges. He was preparing to retire when he was given an opportunity to express his desire for a particular assignment. As a result he came to Eastern as its Professor of Military Science. He was expected to retire in two and one-half years, but at that time he was asked to extend his time of service. Smith agreed to stay because he "enjoyed his work" and it was "a real challenge." He found "the young men were fine to work with." Smith added,

**Spring Sports**

(Continued from Page Four)

a sophomore from Springfield, Ky., was recipient of the batting trophy. Milburn batted .333 during the season.

The pitching trophy was presented to Charlie Taylor. Taylor, a sophomore from Covington, Ky., finished with the lowest earned run average during the season. Taylor's record was 2-2.

added that the O.V.C. schools only try to promote football and basketball. Eastern has two cross-country All-Americans out of the top 15 in the United States. Eastern is also the only school that has managed to do this. Therefore, Ken Silvious and Grant Colehour are probably the only All-Americans who do not get fed.

During this interview it was also pointed out that a person could go to any other major college or university and ask if they have heard of Eastern and their answer would be Colehour and Silvious. One of the members of the team put it this way. "If the O.V.C. is going to run with the big boys, why not eat like the big boys."

All-American Ken Silvious said, "I have been living off TV dinners since Christmas, and I don't feel that we perform our best off these." Silvious also stated that universities could probably save money by setting up an athletes' table for all spring players to eat instead of throwing the food away.

Another Eastern coach commented that he was for trackmen to get their meals, but pointed out the fact that the spring brought no financial aid to help the school.

"As I look at the young men I work with now my life receives its reward. It's just like teaching, the young men grow and develop; and it's a very satisfying feeling to know that I've contributed a little to this."

Presently, Smith serves as Commanding Officer of the third largest ROTC unit in the United States with a staff of 22 officers, 17 enlisted men, and 4 civilians and a Cadet Corps of over 2600 cadets. Eastern under his leadership graduated Regular Army officers at three times the national rate.

Hobbies  
 The Colonel's hobbies include horticulture (his Christmas present was six tropical plants) and cooking. He bakes pies but no cakes. Without batting an eyelash he said, "I'm an excellent cook... no brag, just fact." He and his wife have quite a collection of foreign recipes which they have obtained while stationed in various places around the world.

**One-Act Play Slated At Episcopal Church**

"Christ in the Concrete City," a one-act play by P.W. Turner, will be presented under the direction of Rudd Parsons, tonight and Friday at 8 p.m., at Christ Episcopal Church (Lancaster Ave. at Water St.).

Members of the cast are: Mike Wilson, Chuck Taylor, Eura Smith, Frederick DeJaco, Joyce Byrum, and Kathy Bishop. Admission is free. According to Turner, the play is a "drama of God gate-crashing the petty concerns of men." It is the story of modern man's existence and how he escapes his fears by falling into sleep. "Christ in the Concrete City" is not a religious play in the traditional sense, but rather, a story of how man today relates his life to the passion of Christ many years ago.

Milestone Staff Has Openings  
 There are presently openings in all sections of the '70 Milestone Staff. Students interested in joining the 1969-70 Milestone staff are invited to make application at the Office of Public Affairs, third floor, Jones Building.

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# Breckinridge Supports Regents

(Continued from Page 1)

Board of Regents, which Board has all the powers "usually attaching to the governing bodies of educational institutions." Sub-section (2) of KRS 164.350 empowers each Board to "adopt bylaws, rules and regulations for the government of its members, officers, agents and employees, and enforce obedience to such rules."

Pursuant to KRS 164.340, meetings of the Regents are to be held quarterly, with called meetings being arranged upon written request of the president of the institution or of two members of the Board.

KRS 164.370 pertaining to suspensions, expulsions and appeals to Boards of Regents, states:

**Power To Suspend**

"Each board of regents may invest the faculty or a committee of the faculty with the power to suspend or expel any student for disobedience to its rules, or for any other contumacy, in subordination or immoral conduct. In every case of suspension or expulsion of a student the person suspended or expelled may appeal to the board of regents. The board of regents shall prescribe the manner and the mode of procedure on appeal. The decision of the board of regents shall be final."

By way of legislative history, KRS 164.370 is a combination of legislation enacted by the General Assembly in the 1934 and 1936 sessions. The first sentence of the present statute origi-

nally appeared in Carroll's Kentucky Statutes as Section 4527-44, while the remainder appeared in Carroll's Section 4527-47. In the more than three decades since its enactment there have been a number of decisions, especially those of the Federal Courts, which have interpreted constitutional rights of students, which are to be taken into account in construing KRS 164.370. In addition, this statute must be construed in the context of the board powers possessed by Regents specifically and inherently by virtue of related statutes.

On the one hand, there is the fact that certain elements of due process are recognized by the courts as being incorporated into a statute such as KRS 164.370 regardless of whether the statute specifically provides for the elements of due process. On the other hand, however, the courts have recognized the inherent general power of university authorities to maintain order on campus, and to exclude those who are detrimental to the university's well-being. Buttny v. Smiley, 281 F. Supp. 280 (U.S.D.C. Colorado, 1968).

**Rights Of Students**

With respect to rights of students the Federal case of Dixon v. Alabama State Board of Education, 294 F.2d 150 (5th Cir., 1961), and the later decisions following Dixon's pronouncements have added requirements in addition to those specifically spelled out in KRS 164.370 by calling for a notice and hearing in cases of severe disciplinary action involving expulsion or extended suspension. In Dixon, the due process requirements were outlined at pages 158 and 159 F.2d as follows:

"For the guidance of the parties in the event of further proceedings, we state our views on the nature of the notice and hearing required by due process prior to expulsion from a state college or university. They should, we think, comply with the following standards. The notice should contain a statement of the specific charges and grounds which, if proven, would justify expulsion under the regulations of the Board of Education. The nature of the hearing should vary depending upon the circumstances of the particular case. . . . This is not to imply that a full-dress judicial hearing, with the right to cross-examine witnesses, is required. Such a hearing, with the attending publicity and disturbance of college activities might be detrimental to the college's educational atmosphere and impractical to carry out. Nevertheless, the rudiments of an adversary proceeding may be preserved without encroaching upon the interests of the college. In the instant case, the student should be given the name of the witnesses against him and an oral or written report on the facts to which each witness testifies. He should also be given the opportunity to present to the Board, or at least to an administrative official of the college, his own defense against the charges and to produce either

oral testimony or written affidavits of witnesses in his behalf. If the hearing is not before the Board directly, the results and findings of the hearing should be presented in a report open to the student's inspection. . . ."

**Court States**

Additionally, in Buttny, at page 287, the Court said:

" . . . We know of no legal authority that requires university officials to advise a student involved in disciplinary proceedings of his right to remain silent and to be provided with counsel."

But while giving effect to constitutional requirements of due process, the courts at the same time have recognized the inherent powers of university authorities to take appropriate action under certain circumstances to insure temporary removal of students prior to any hearing procedure. In Scoggin v. Lincoln University, 291 F. Supp. 161 (U.S.D.C., W. D. Missouri, 1968), the Court said at page 172 F. Supp.:

" . . . No principle of law requires an educational institution to commence disciplinary proceedings at a time when the campus is in an uproar. Appropriate action can be taken consistent with the circumstances to insure the temporary removal of students and others who persist in efforts to reduce the academic community to a state of permanent chaos. The hearing of disciplinary cases produced by violent student conduct may, and probably should, be continued for a reasonable time consistent with conditions on the campus." (Emphasis added.)

**Same Vein**

In this same vein, in Buttny, the Court said: " . . . In fact the recent cases have not denied the validity and reasonableness of some very broad disciplinary regulations. In addition, it cannot be denied that university authorities have an inherent general power to maintain order on campus and to exclude those who are detrimental to its well being. . . ." (Emphasis added.) (at p. 285, 281 F. Supp.)

In Kentucky, the president of a state-supported university occupies a post as executive officer. Under KRS 164.340, the president is the one individual who, alone, can convene the Board of Regents, and thus is to be regarded as the Regents' executive representative when the Board is not in session. In line with this concept, it has been customary for Boards of Regents under the authority of KRS 164.350 to delegate certain general and specific duties and functions to the presidents of institutions of higher learning, authorizing the president to act in the interim period between meetings. Such delegation does in fact become necessary since the Regents meet only quarterly, except for special called meetings.

**Governing Structure**

The structure of the governing authority of state universities provided in Chapter 164 must be regarded as contemplating that during the 360 or so days of the year on which the Regents are not meeting emergencies will arise requiring a degree of executive action. The authority to take appropriate executive action within a proper framework in such instances may be lawfully delegated by the Regents to the president of the university.

It should likewise be contemplated that circumstances may arise involving serious misconduct on the part of students wherein to be convened in sufficient time to take the

appropriate action necessary to preserve order. It is this type of situation to which we interpret the March 19, 1969 authorization of the Board of Regents as being applicable, specifying as it does "disruptive or coercive" activity -- thus being confined to emergency conditions, such as, for example, physical force or serious threats thereof, or physical interference with proper use of university facilities -- that is to say, conditions under which it would be neither possible nor prudent to wait for the convening of a faculty committee before effecting a temporary suspension. The March 19, 1969 authorization by the Board of Regents is construed as limiting itself to "temporary suspension" in view of the fact that the authority applies only to the interim between the incident and the "opportunity for a hearing before the Student Welfare Committee."

**Based On Case**

Based on the Scoggin case, from a constitutional and statutory standpoint, there is no principle of law which would require the executive officer of the institution (or other appropriate officials thereof) to permit a student, students, or outsiders guilty of infractions to continue to enjoy the privilege of enrollment or access to certain campus areas if to do so would produce the reasonable likelihood of injury, damage or substantial disorder, or would constitute physical interference with the proper use of university facilities.

Therefore, as a proper delegation of authority to the president by the Board of Regents for application to the emergency situations outlined above, we are of the opinion that it is valid and does not conflict with a proper interpretation of KRS 164.370 (since the latter statute deals with the procedure to be utilized in more routine cases in which conditions are such as to permit the convening of a committee); the delegation of authority by the Regents is within their board general powers under KRS 164.350, and is in harmony with the inherent general powers of university authorities to maintain order on campus as has been recognized by the courts. Indeed, as noted at page 2, supra, KRS 164.350 vests in the Boards of Regents all those powers "usually attaching to the governing bodies of educational institutions," and KRS 164.350 (2) empowers each Board to adopt regulations for the government of the staff and students and to "enforce obedience" to such.

**Absence Of Authority**

Even in the absence of the specific delegation of authority, the president, as executive officer of the Board of Regents, along with other officials responsible for student conduct, would appear to possess the basic powers to exercise emergency action of the type indicated.

In the connection of the observations of the Kentucky Court of Appeals, in a most recent Opinion, rendered May 9, 1969, in the case of O'Leary v. Commonwealth, are regarded as pertinent authorities to maintain order. In the O'Leary case, a University of Kentucky Dean asked University of Kentucky students to leave what otherwise would have constituted an area open to students. The Dean's request was based upon the fact that the students were interfering with the normal, intended use of the property by blocking the doorway. In upholding the conviction of the University of Kentucky students for breach of peace charges arising out of the incident, the Court said: "It is clear from the decisions of the Supreme Court, some of which are mentioned above, that free speech and the right of assembly in public places must not be left to the ad hoc discretion of provincial authorities, nor can people be ordered off the premises of business establishments, otherwise open to the public, for no reason except their creed or color. There is a difference, however, between public and private places, and in this context we regard the premises of a college or university as no different from private property. That the institution is financed with tax money is no reason why its governing body should not have the same dominion and control over it as would a private owner. No one would contend, we trust, that the presence of a group of demonstrators in the office of its president would be any more legitimated and protected by the Constitution than would be their



**Sherwood Forest?**

This is not Sherwood Forest but merely a part of the ravine. The dueling students are Ann Hansborough and Charles Owens, testing some props from the drama department. (Staff photo by Ken Harlow)

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Peaches and Herb Concert

May 25 & 27 - Mon. & Tues.  
**THE IMPOSSIBLE YEARS**  
David Niven, Lola Albright  
Ozzie Nelson, Christina Ferrare

May 28 - Wednesday  
**No Movie**  
Madison - Central  
Commencement

May 29 - Thursday  
**NEBANTIAN**  
Dirk Bogard, Lilly Palmer

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# 'Different Animal' Neill Day Growls, And Purrs, About Life At Eastern

BY JOHN PERKINS  
STAFF WRITER

Neill Day is a different animal.

He won't be worrying about student life at Eastern anymore. He won't be bothered with the sometimes impossible work of the Student Council much longer. Most of all, he now feels free to say what he wants to say.

Like most of the students who have been here for four years, Neill Day feels that he, as a graduating senior, can now observe Eastern and its problems more objectively than anyone else on campus can. The problem he sees? There are many.

First of all, he says, "There is a dangerous situation at Eastern--the three outstanding contributors to the school functions, the students, administration, and the faculty, never seem to agree about anything. It's somewhat of a free-for-all."

"For example, when the administration sets a policy or makes a statement, the students and faculty gang up on the administrators. When the students do something -- the administration and faculty get together. Where there should be three harmonious factors at Eastern, there are three antagonists."

Student involvement, which Day says hit its peak this year, may rapidly go downhill, he says, unless the student association makes a great effort to keep the students interested in their school's well-being.

### Student Involvement

"Much progress was made this year in student life-- the women's hours have been liberalized, the Powell report defined more clearly the student's role on campus, off-campus living is now available--this is fine.

"But I'm afraid that the students are going to lose interest in the academic side of the picture now that their immediate needs have been satisfied. I just hope that students don't forget that there's more to be accomplished than free housing policies."

Greeks, thinks Day, are going to become one of the major influences on campus within the next few years. "Greeks are fine. I'm a Greek myself. But they tend to be a little bit conservative when it comes to the good of the university-- I'm not saying that they're reactionary --but they naturally have to keep in mind all the time that they are not only students of Eastern, but that they are KA's or Pi Kappa or Chi O's--anything they say will reflect on their organization-- naturally they're careful not to sound in the least bit radical."

### Rapid Growth

Day thinks that Eastern's rapid growth since Dr. Robert Martin has been president has caused troubles.

"The university has grown so quickly in the past eight years that the administration's policies haven't been able to keep up with the size of the school. Of course, policies and curriculum are expanding all the time, but it'll be a pretty rough job to adapt the policies which were adopted for a school of 5,000 students to one of 9,500 students."

"I think that right now Eastern is experiencing more severe growing pains -- but it doesn't have to."

"As much as I hate to say this -- Eastern suffers from 'lack of communication'-- I know that's not very original, but it's true. In particular, I think that President Martin ought to become more aware of the students' gripes and suggestions."

"I know that he cares--but in contact with the administration he doesn't show the individual student that he does. He needs to get rid of his image of 'President Martin' and try to find a new one for himself that wouldn't seem so distant. Right now I bet that half the Eastern students tend to suppress original ideas. Almost everywhere around except for basketball games and football games. That's the problem. Although he does think of the student's good, he should do more to show that he's willing to listen."

Day feels that a big step was made to promote better student-administration relations with the formation of the student advisory committee, but he thinks that the student should have an even greater opportunity to come



Neill Day

## Mary Porter Wins Miss Black Pageant

BY J. DARNELL PARKS  
STAFF WRITER

Mary Porter, an Eastern student recently won the Soul Action for Democracy (S.A.D.) Miss Black Pageant.

Miss Porter is a freshman from Louisville, Kentucky. She graduated from Central High School majoring in sociology. There were twenty contestants that took part in the pageant held at the St. Paul A.M.E. church on Francis Street in Richmond.

This was the first annual pageant of this nature to take place in the Richmond community. The pageant is not an annual event, but something started to benefit the black community.

Soul Action for Democracy (S.A.D.) is an all girls club made up of black people who wish to inform the public of black awareness and black beauty.

The runners-up were: Miss Christen Chadwell, a senior at Madison Central High School; Miss Dennis Burnside, a junior at Madison High School, and Miss Sharon Taylor, a freshman from Louisville.

The ladies were judged on poise, hair style and dress. Miss Porter's formal wear

for the evening was a red satin ensemble.

All the ladies in the contest expressed the belief that the contest was a help to the black community. They also noted the many white people who attended this event.

After the crowning, Mary said, "The pageant was conducive to black pride and black progress."

Miss Porter was crowned by Carl Westly Tennyson Smith, sponsor of the pageant.

## Social Farce Scheduled Next Week

"The Hairy Falsetto," a one-act social farce by J.L. Rodale, will be presented May 28 and 27 at 8 p.m. in Pearl Buchanan Theatre, under the direction of Larry Powell.

Chosen Best Play for 1969 at the Southeastern Theatre Conference in Atlanta, the play stars: Larry Pergam, Linda Lisle, from Louisville.

The ladies were judged on poise, hair style and dress. Miss Porter's formal wear Admission is free.

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"... we didn't think up the Vietnam scheme, we didn't think up the Vietnam agency idea. The man thought up the idea... You didn't want to give these jobs, you didn't want to give them the better education, you didn't want to give them better housing, instead you allow to give them charity. And now you're complaining because you have to pay out more charity than you used to pay out. I mean, don't complain to us if you wanted to do free giving in the beginning. Continue to give free giving, just because you started not giving to the man a dollar and he's asking you for two dollars now, don't start crying on our shoulders. It's not our problem."

"I know that my boy is over there-- he's supposed to be fighting for his rights here in the United States, but he's not getting them. He is not getting them. I want it for him. I want it for him. And if I don't think he's not getting them, you believe me, I'll do everything, look, sweat, anything else..."

"What do I think about the war? I think it's right, and we're fighting for our damn freedom..."



"You got to clean up your own backyard, man, before you can clean up somebody else's backyard. The way should be to clean up your own backyard. And you... and in Harlem, the re-located areas around here, Welfare centers, a church and a postroom, that's all we've got around here in Harlem. This is where the man should be fought, right here in Harlem."

"What have we got to be particular for? What you got us? You ain't give us nothing. Why should we have on 'nigger' hair-- you-all got the best parts, the best houses, the best of everything. When we get it, we have to sleep and pay all of our money for rent to buy a house that half of our money rate it ain't yours. And I got to pay all that rent for rent that come and not the rent. I got the rent food on there, and when I wake up in the morning, the rent food is gone, and I don't know where the rent went. Maybe they live better than I do, but the rent ain't gone."

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Many others, not shown, from a modacrylic 3-curl cascade to a long dome fall of human hair. . . . . 5.95 to 39.95

## EKU Health Services

(Continued from Page 1) — A staff member be available for residence hall calls in case students could not be moved. Campus security officers be trained in elementary first aid procedures in order to handle unruly, ill students. Facilities for quarantining students be increased and improved. The infirmary be kept open on weekends so that ill students need not be sent home for care due to lack of facilities here.

**Disease Diagnosis**  
Diagnosis of a disease be confirmed by a physician before medicine is prescribed. A more complete medical records system be installed which would contain a basic medical form to be completed by all incoming freshmen with annual supplemental forms to be completed by all students to denote changes in health status. A standing faculty and administrative committee be immediately appointed to bi-annually review the status and efficiency of campus health services in order to recommend improvements and corrections to the Board of Regents.

A letter expressing the recommendations and "deep concern" about the health services will be sent to Eastern's Board of Regents, President Robert R. Martin, and Dr. Henry Martin, vice-president for student affairs and dean of students. The proposal was introduced and read to the Council by Representative Nancy Hill. In another matter, there was limited discussion about the

vised Student Affairs Report which is awaiting approval by the Board of Regents to become official Eastern policy.

**Committee Report**  
The discussion included a committee report by Doug Begley who is investigating the legality of the report's guidelines regarding residence hall room searches. More discussion about the report is scheduled at next Tuesday's Council meeting.

Also, the Council approved by near-unanimous voice a letter which will be sent to Jim Culbertson, this year's editor of the Milestone, commending the publication.

Also, Representative Dennis Day, who was defeated for president of the student association last week, told the Council that his post-election remarks in last week's Progress were not intended to be "really that bad."

Day said that he has offered his congratulations to the winning KEG (Keep Eastern Growing) Party and has offered to help it in any way possible.

Also, Council President Steve Wilborn reported to the Council that Kentucky Attorney General John Breckinridge, in reply to a Council inquiry, has confirmed that a university president has authority to suspend students.

Next Tuesday's meeting, the last of the year, is scheduled to begin at 5:15 p.m. in the Grise Room, Combs Building.

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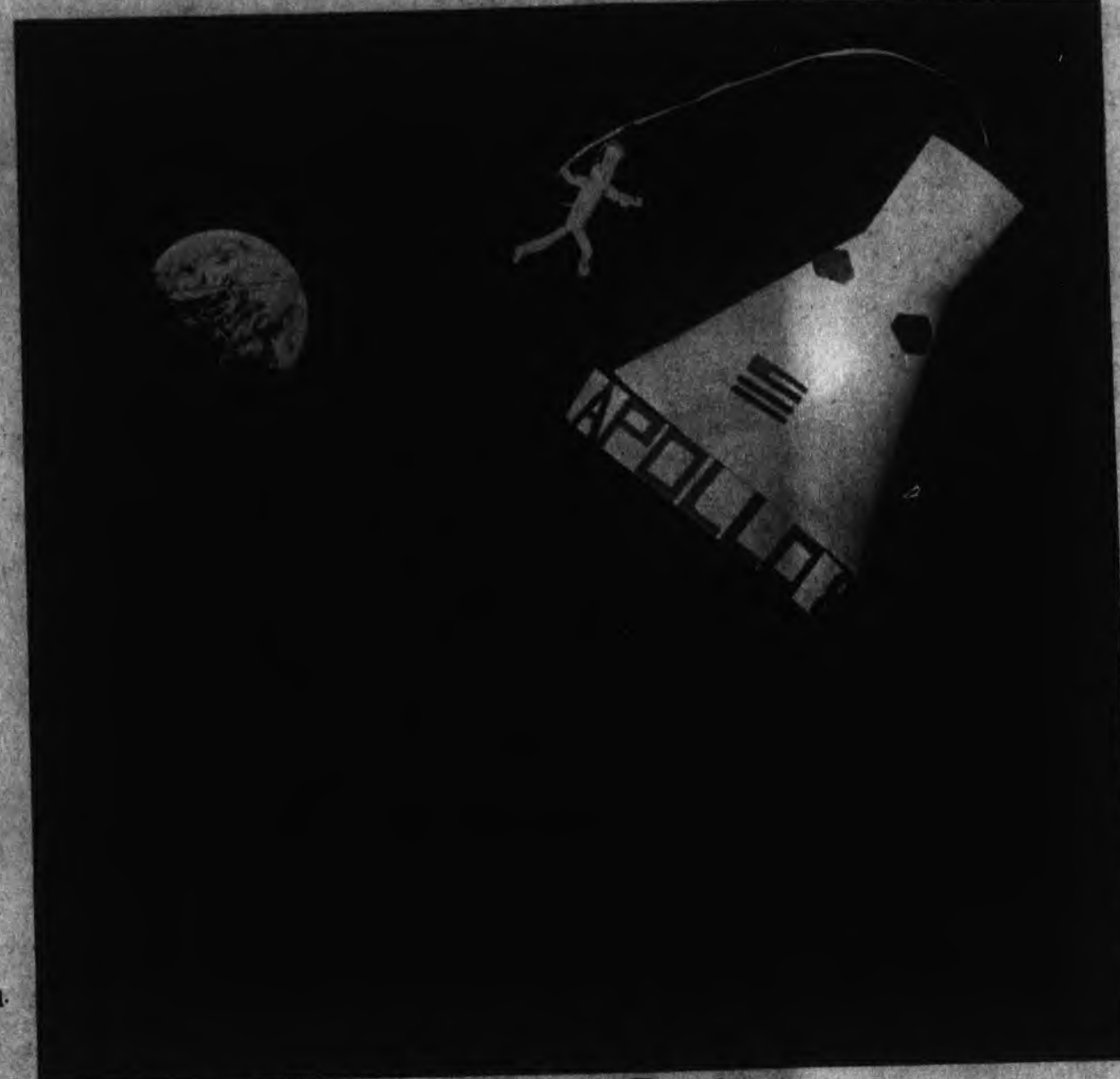
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### Sculpture Project

A shadow in space? Not really. It is all a part of a paper sculpture project in an Art 360 class. Regardless of the authenticity of the picture, it is timely this week, as 2 Ameri-

can astronauts will try to come within ten miles of the surface of the moon.

### Jennings Does Story On Eastern

(Continued from Page 1) — rounded him Thursday night at the foot of Brock Auditorium's stage after his 45-minute speech and a proportionate session of questions and answers.

**Talks To Leaders**  
And he spent nearly 30 minutes talking to black student leader Warfield before filming a five-minute interview which comprised but three questions. Too, Jennings displayed an abundant amount of independence. When an Eastern media man suggested to Jennings that he get a coed's viewpoint for the ABC feature, Jennings snapped: "A student's a student," and proceeded with his selected interviews.

And he denied that he had been fired as ABC's evening news commentator — and contended that he resigned from that position because he "became sick and tired of sitting behind a desk."

He wore Thursday afternoon a mod-looking, brownish-green sport coat with yellow stripes and brown slacks. For his speech Jennings wore a more conservative dark blue coat and slacks. His brown hair was fairly long and curled upwards over his collar. He also wore sideburns.

**During Speech**  
During his speech, he told the students mostly what they wanted to hear. "I am against mandatory ROTC," he said. "It should be like the school band."

Prior to that, Jennings remarked that "when girls come to campus they are adults and shouldn't have hours at all."

And for one of his opening remarks, he charged Eastern students as "quiet," then added, "President Martin has beaten you into shape."

Jennings also praised youth but interspersed his speech by gently chiding Eastern students. "The most significant force in the world today is the youth movement," he said. "It is most significant in many ways."

"I know of no other generation which has been so involved."

But he said that he had discovered apathy among Eastern students. "I am amazed at a lack of interest here about what's going on elsewhere," Jennings noted. "I'm very upset to hear that outside problems have no relevance here."

The slender newsman said that Eastern students are not as argumentative as students elsewhere. While drinking three glasses of water and smoking about half a pack of British cigarettes, Jennings also discussed Vietnam

and offered suggestions for collegians.

**Peace Proposals**  
He noted that President Nixon's "concrete set of peace proposals for Viet Nam may lead us to serious negotiations."

But he added that the North Vietnamese "are convinced they can beat us in Viet Nam."

"Don't ever expect to be loved by the Vietnamese," he continued.

And he noted off-handedly that he has "adopted" a Vietnamese daughter.

Jennings told the collegians to think about the world situation and about what they could do about it.

He closed his prepared remarks by urging students to "rock the boat harder than you have up to now."

Among his other remarks, the self-confessed liberal said that: "Every campus should have a course in black studies."

He does not favor amnesty toward disruptive collegians. The Students for a Democratic Society (SDS) have served one useful purpose by "galvanizing a University body to see problems which they never before had."

A definite anti-American feeling exists in other countries.

And media unintentionally distort the true atmosphere of college campuses.

Jennings did not slight humor, either. "I'm not a member of an organized political party," he quipped. "I am a Democrat."

The crew which accompanied Jennings brought 20 pieces of equipment valued between \$4000 and \$5000. The crew, which had been summoned to Richmond at 5 a.m. Thursday, said that they normally work out of New York City.

Jennings had been in Memphis, Tenn., Marvella, Ark., and two sites in Wisconsin last week prior to flying to Lexington where he was met by Eastern representatives.

**Congressmen**  
(Continued from Page One)  
sities," Brock told the Progress. He declined to specify such a demand. Brock said, though, that an injustice is done when requests or demands for change become violent.


Brock said that he is "bothered by the inability to separate the good from the bad" by the public. "A great majority of college students are well-informed, high idealistically, and are very fine people with something to offer," he noted.

"Nobody seems to be talking about the issues," he continued, "just reacting."

Though the campus visits are designed for talks with students, Brock said that he "got trapped" with non-students at other colleges.

He said that the visits are being made to hopefully make legislators "more responsible members of Congress, give us a better perspective and perhaps be able to share with others certain viewpoints."

**Classes May 30**  
Classes will meet as normal next Friday, Memorial Day, the Progress learned this week from Dean Thomas F. Stovall, vice-president for academic affairs.



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## Observatory Continuing To Be Open

The Physics Department is continuing a weekly presentation of "The Spring Day" in the Smith Park Observatory every clear Monday evening starting at 9:30 p.m.

Each visitor will have the opportunity to observe the planet Jupiter (with its four satellites), the moon (if it is up), and other objects.

Mr. Tom Eubanks, who has worked with the Planetarium at the Cincinnati Museum of Natural History, shows a selection of slides explaining the various objects visible through the telescope.

Those interested in bringing a group to the observatory on some night other than Monday may contact Mr. Eubanks at 310 Earle Combs Hall, or contact Mr. Karl F. Kuhn at Science 216, phone 3721.

## Elections

(Continued from Page One)  
Petitions with 150 student signatures were due yesterday to qualify the candidates for the election.

The seat on the board constitutes non-voting membership. The seat was established by a statute passed by the 1968 Kentucky General Assembly.

The student elected will be sworn in Wednesday, June 4, at the next meeting of the Board.

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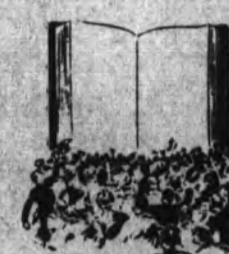
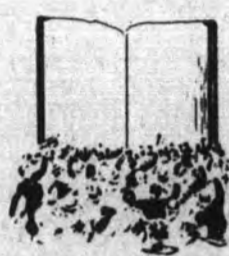
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## 9-5



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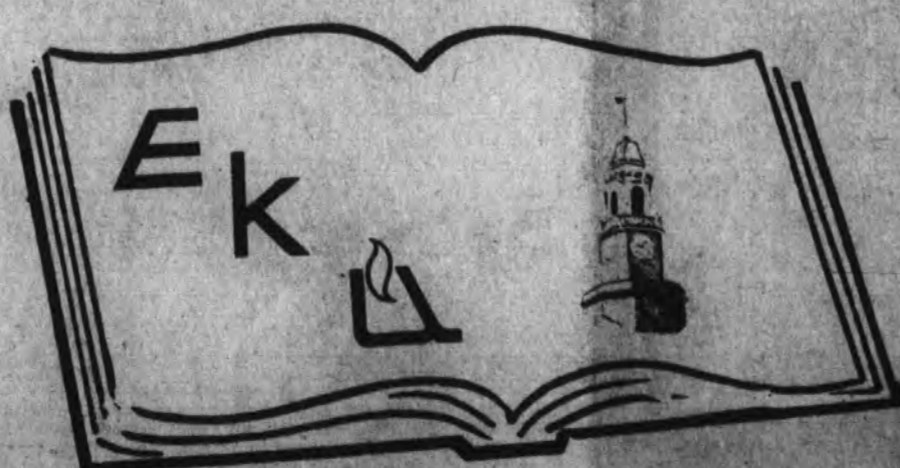
In order to conclude financial transactions of the University prior to the end of Spring Semester, all check cashing services of the University will be discontinued Friday, May 30, 1969, 1:00 p.m. (Cashier's Checks, Money Orders and the like may be cashed after May 30). Students should plan their financial needs accordingly.

### STUDENT ORGANIZATIONS

May 26 through June 5, have been the dates established for all student organizations to turn in their financial records for audit. The records will be returned to the organizations in September, unless business will be conducted during the summer. In that case, special arrangements should be made with the controller's office.

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