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## UK board rejects former teacher's bid for tenure in 15-year-old case

HERALD LEADER STAFF REPORT

A former University of Kentucky faculty member was again denied tenure yesterday, the latest round in a legal case against UK that has spanned 15 years and been to the state Supreme Court and back.

With little discussion, the UK Board of Trustees turned down an application for promotion and tenure from Joseph Murray Hayse, an assistant professor in UK's Honors program until 1978.

"That doesn't end the matter," Hayse said yesterday. "There's still a lot of things left for the courts to decide."

He referred questions about possible future action in the case to his attorney, who was out of town yesterday.

The last major court development in the case occurred in 1989 when the state Supreme Court ruled Hayse was entitled to have his application for tenure considered by UK's top governing board.

The case began several years earlier, when a Franklin Circuit Court jury awarded Hayse \$61,760 to cover lost pay and other damages and ordered him reinstated as an associate professor with tenure.

That verdict was overturned by the circuit court judge. Hayse appealed to the Court of Appeals.

In 1987, the appellate court ruled Hayse should be reinstated but was not entitled to \$61,760 the jury awarded him as damages.

The case then went to the state Supreme Court.

The high court ruled Hayse was not entitled to automatic reinstatement, but should get the \$61,760 in back pay and should be allowed to have his tenure application considered by the UK board.

The board did so yesterday.

Hayse, who now works for the state Department of Transportation, was the taxpayer who, in the late 1970s, filed a class-action suit against Lexington's Urban County Government to get more money for the Lexington Public Library.

The case ended in 1984 when the state Court of Appeals agreed that state law required the city to give the library at least 5 cents for every \$100 of assessed property valuation.



DAVID PERRY/HERALD LEADER

President Charles Wethington read a statement to the board recommending Cliff Hagan's

name for the baseball stadium; at left was board Chairman Edward T. "Ned" Breathitt.