



Minutes
Alabama State University Board of Trustees Meeting
February 9, 2007

I. CALL TO ORDER

The meeting was called to order by Chairman Elton Dean at 1:32 p.m. in the Board Room of the Joe L. Reed Acadome.

II. INVOCATION

The invocation was given by Dr. Bernadette Chapple.

III. ESTABLISHMENT OF QUORUM

Dr. Joe A. Lee, President of the University and Secretary to the Board, called the roll after which he affirmed a quorum.

Present:

Trustee Elton Dean
Trustee Catherine W. Wright
Trustee Oscar Crawley
Trustee Buford Crutcher
Trustee Thomas Figures
Trustee Taylor Hodge
Trustee Bobby Junkins
Trustee Joe L. Reed
Trustee Marvin Wiggins
Trustee Herbert Young

Absent:

Trustee Lawrence Lemak

President Lee was asked by Chairman Dean to read a letter received from Trustee Patsy Parker. Dr. Lee read the letter informing the Board that Trustee Parker was resigning from her position on the Alabama State University Board of Trustees.

IV. ADOPTION OF AGENDA

Trustee Dean called for the adoption of the Agenda. President Lee requested withdrawal of Agenda Item XIV-1 (Approval of the Revised Alabama State University Non-Academic Staff Handbook).

Trustee Crutcher moved, seconded by Trustee Crawley, to adopt the Agenda with the change noted as requested by President Lee. The motion carried by unanimous vote.

V. **ADOPTION OF THE MINUTES**

Chairman Dean called for the adoption of the minutes of the September 22, 2006 meeting. Trustee Reed stated that a change in the minutes should reflect that he abstained from voting on the budget.

Trustee Wiggins moved, seconded by Trustee Crutcher, to adopt the minutes of the September 22, 2006 meeting with the change noted as indicated by Trustee Reed. The motion carried by unanimous vote.

Chairman Dean called for the adoption of the minutes of the November 30, 2006 reconvened meeting.

Trustee Wright moved, seconded by Trustee Wiggins, to adopt the minutes of the November 30, 2006 reconvened meeting. The motion passed by majority vote. Voting aye: Trustees Crawley, Crutcher, Dean, Hodge, Junkins, Young, Wiggins and Wright. Trustees Figures and Reed abstained.

VI. **PRESIDENT'S REPORT**

President Joe A. Lee reported that the University has faced challenges in various areas throughout the campus to include the following: power outages due to breakdown of Alabama Power equipment; boiler malfunction in Dunn Tower; and, elevator breakdowns in several buildings. These problems were addressed as they occurred. President Lee stated that in spite of all the problems, there has been measurable progress at the University. Highlights of faculty, staff and student accomplishments are: Dr. Tonea Stewart's performance in the movie *Constellation*; Dr. Sharon Herron and Dr. Bertis English will travel to Africa this spring to establish plans for ASU students to study abroad; and, eight undergraduate students from the Biology Department competed in the annual Biomedical Research for Minority Students Conference in Anaheim, California. Three of those students won significant honors for their presentations at the meeting. In addition, the Science in Motion program has purchased a new physics van that will be used to set up much needed physics labs at local high schools. Dr. Jacqueline Myers received the Alabama Business Education Program Postsecondary Award and Dr. Alan Sheppard, Dean of the Graduate School, was selected by the Council of Historically Black Graduate Schools to serve on the national panel to select the best thesis and dissertation research conducted among HBCUs. Mr. Michael Howley, Instructor of Humanities, is the recipient of the 2007 National Education Institute Fellowship in Theater and Musical Theatre Journalism. The ASU Band was one of ten bands that participated in the Battle of Bands in Atlanta and was awarded \$10,000. As a result of their outstanding performance, Honda selected twenty seven ASU band members to be on the Ellen DeGeneres Superbowl show.

In regards to facility matters, window replacement is nearing completion in Council Hall and work on Girard Apartments is complete. Destin Energy is nearing completion of the generator project, and the Fred Shuttlesworth Dining Hall is now open. Campus security continues to be of paramount importance; bicycle patrol is in place and functioning well. Officers are being placed in strategic positions to protect our campus and the streets that were vacated by the city have been fenced in. TMA software has been installed in the Transportation Department that will aid the University in tracking all vehicles on the campus.

The Acadome continues to be an attractive place to hold various functions and currently the University is working diligently to host the Alabama High School Athletic Association Regional High School Tournament.

The University has been informed that the state of Alabama has made available \$25.8M through the Alabama Public School Authority for the University's capital projects associated with *Knight v. State*. In addition, The National Park Service awarded the University a \$150,000 grant to renovate Friendship Manor, the old President's House. The Center for Leadership and Public Policy received a \$210,000 award from the Alabama Department of Public Health for the statewide HIV/AIDS awareness program.

After his report, President Lee directed the attention of the Board to the Strategic Plan Conceptual framework document mailed to them previously; President Lee is seeking future approval of this document from the Board.

President Lee concluded his report and thanked the Board for allowing him the time to make his report.

VII. REPORT OF THE SGA – *Mr. Victor Revill, SGA President*

The administration has been working closely with the SGA to address student problems and concerns. Mr. Revill informed the Board that the SGA has been providing various on-campus events for students; established the SGA website for student use; and, the Legislative branch has been passing laws to improve campus life. The SGA, at the request of President Lee, conducted a survey of the quality of the food service program at ASU. The results of the survey were distributed to the Board. He further reported on matters of concern to the SGA to include the University's admissions policy and campus safety issues. Lastly, he stated that the SGA has been getting positive feedback regarding the Fred Shuttlesworth Dining Hall.

VIII. REPORT OF THE FACULTY SENATE - *Dr. Caroline Yelding, Chair -Faculty Senate*

The faculty has several concerns to bring to the attention of the Board of Trustees. Dr. Yelding indicated that the Faculty Senate was not pleased with the manner in which the \$2 million earmarked for faculty salary adjustments was made. She stated that the method utilized by the administration to calculate the adjustments used old ACHE figures. Other areas of concern include promotion and tenure; reinstatement of the Nelson Denny Reading Test; faculty involvement in the revision of the *Faculty Handbook*; not adhering to EEOC standards as it relates to race and sex; and, faculty and student safety on campus. Dr. Yelding addressed a request to Trustee Dean to have a meeting with the Board of Trustees.

After Dr. Yelding's report, Trustee Dean responded that copies of all reports made to the Board should be provided to the President prior to the Board meeting. He agreed to meet with the Faculty Senate under the condition that the President make the necessary arrangements and adhere to the Open Meetings Act.

Trustee Reed indicated that the Faculty Senate has made some serious allegations that should not be ignored. It is his position that there are limitations as to how involved Board members should be in the day-to-day operations of the University.

Trustee Dean requested that Dr. Yelding get with the President to schedule the meeting with the Faculty Senate.

IX. REPORT OF THE NON-ACADEMIC STAFF COUNCIL – *Mr. Ron Dickerson*

Mr. Dickerson stated that the Non-Academic Staff Council will conduct a survey to determine how satisfied staff employees are with the health benefits package that was approved at the last Board meeting.

X. COMMITTEE REPORTS

A. EXECUTIVE COMMITTEE – *Trustee Elton Dean, Chair*

1. Ratification of the action taken at the December 1, 2006 Executive Committee meeting.

Trustee Dean asked the President to present the ratification information.

President Lee presented the ratification of action taken by the Executive Committee involving the approval of the Settlement Agreement between ASU, Troy University and Auburn University that was thereafter presented to Judge Murphy in the *Knight v. State* case.

Trustees Reed and Figures expressed their concern that the Executive Committee did not have the authority to override the action of the full Board taken on November 30, 2006 as it relates to the *Knight v. State* Settlement Agreement. After much discussion regarding the matter, the Chairman called for the motion.

Trustee Crutcher moved, seconded by Trustee Wiggins, to ratify the action taken at the December 1, 2006 Executive Committee Meeting. The motion passed by majority vote. Voting aye: Trustees Crawley, Crutcher, Dean, Hodge, Junkins, Wright, Wiggins and Young. Trustee Reed opposed; Trustee Figures abstained.

B. ACADEMIC AFFAIRS COMMITTEE – *Trustee Patsy Parker, Chair*

Trustee Wright reported on behalf of Trustee Parker, who was unable to attend the Academic Affairs Committee meeting. Two consultants were engaged by the Administration to review the Departments of Visual Arts and Theater Arts for the purpose of seeking accreditation. The consultants' reports were very complimentary of the work that is being done in these areas. A copy of the report is requested to be provided to all Board members. Dr. Evelyn White, Vice President for Academic Affairs, presented the Resolution to the Board requesting approval to seek accreditation of the Department of Visual Arts and the Department of Theatre Arts.

1. Approval of Resolution to Grant Permission to Seek Accreditation for the Department of Visual Arts and the Department of Theatre Arts.

Trustee Figures moved, seconded by Trustee Hodge, to adopt the Resolution presented to grant permission to seek accreditation for the Department of Visual Arts and the Department of Theater Arts. The motion passed by unanimous vote.

C. ATHLETICS COMMITTEE – *Trustee Herbert Young, Chair*

The Athletics Committee met on January 25, 2007. The Committee discussed in detail the following issues: restructuring of the athletics department; performance review of coaches; new season ticket program; homecoming moving from Thanksgiving Day; securing a common opponent for the Gulf Coast Classic; finalizing the NCAA investigation; and, completing negotiations with Tuskegee University by February 28, 2007 for the Turkey Day Classic. No action is being requested from this Committee at this time.

D. FINANCE COMMITTEE - *Trustee Catherine W. Wright, Chair*

The Finance Committee did not meet due to scheduling conflicts; however, the Committee members were apprised of the pending action on today's agenda. Trustee Wright reported that she met with President Lee and his staff and all pertinent information was provided to all Board members for review. She asked the President and his staff to present the items for Board action. Mr. Freddie Gallot, Vice President for Fiscal Affairs, brought forth the following Resolutions:

1. Resolution to Approve Fees and Board rate for Fiscal Year 2007-2008

The Resolutions for fees and board increase were acted on separately by the Board.

Mr. Gallot stated that per the Resolution, the Administration is recommending an increase in the board rate of \$275 per resident student/per semester. The new Board rate will be \$985 per resident student/per semester.

Trustee Reed moved, seconded by Trustee Figures, to adopt the Resolution to approve the increase in the board rate for fiscal year 2007-2008 to \$275 per resident student/per semester. The motion passed by unanimous vote.

The Administration recommended to the Board of Trustees that a general University fee of \$200 per student/per semester be initiated and a technology fee of \$25 per student/per semester be initiated for the 2007 Fall Semester.

Trustee Figures moved, seconded by Trustee Wright, that the University approve the Resolution that a general University fee of \$200 per student/per semester be initiated and a technology fee of \$25 per student/per semester be initiated for the 2007 Fall Semester.

After some discussion, Trustee Young amended the motion, seconded by Trustee Wright, to increase the amount of fees for the 2007 Fall Semester from \$225 per student/per semester to \$250 per student/per semester, with the additional \$25 being set aside for preventive maintenance. The vote on the amendment passed by majority vote; Trustee Reed abstained.

On call for the vote on the main motion as amended, the motion passed by majority vote. Trustee Reed opposed.

2. Approval of transfer of Food Service workers from the employment of ASU to the Food Service contractor

Vice President Gallot presented a Resolution from the Administration that recommended any current employee who leaves the employment of the University either through retirement and/or separation will be replaced as employees of the food service contractor.

Trustee Wright moved, seconded by Trustee Wiggins, to approve the Resolution to transfer food service workers from the employment of ASU to the food service contractor. The motion passed by majority vote. Voting aye: Trustees Crawley, Crutcher, Dean, Hodge, Junkins, Wiggins, Wright and Young. Trustee Reed opposed; Trustee Figures abstained.

3. Approval of University's selection of Food Service vendor

Trustee Wiggins moved, seconded by Trustee Crutcher, to table this matter until the May Board meeting. The motion passed by majority vote. Voting aye: Trustees Crawley, Crutcher, Dean, Hodge, Junkins, Wiggins, Wright and Young. Trustees Reed and Figures abstained.

4. Approval to Explore Purchase of Property

Mr. Gallot presented the Resolution to seek approval from the Board of Trustees for the University to take the necessary steps for the future acquisition of properties located at 901 South Union Street.

Trustee Wiggins moved, seconded by Trustee Crutcher, to approve the Resolution to explore the purchase of property at 901 South Union Street, Montgomery, Alabama, The motion passed by unanimous vote.

5. Approval of Contract with T.C.U. Consulting Services, LLC.

President Lee stated that the University was charged by the Board in May to identify representation for building projects. The T.C.U. contract was previously forwarded to the Board and the University is seeking ratification to engage this company for services as outlined in the contract.

A motion was placed on the floor to accept the University's recommendation by Trustee Wright and seconded by Trustee Young.

Trustee Reed stated unreadiness and asked how much the T.C. U. contract was worth and exactly what work would they be performing.

President Lee responded that the contract is worth \$3.4 million and stated all the projects the company would be working on.

After more discussion by President Lee and Trustee Reed, Chairman Dean called for the vote.

The motion passed with majority vote. Voting Aye: Trustees Crawley, Crutcher, Dean, Hodge, Junkins, Wiggins, Wright and Young. Trustees Reed and Figures opposed.

6. Approval of Additional funding for the cost of housing students off-campus

Mr. Gallot, Vice President for Fiscal Affairs, stated the University is seeking approval of funding in the amount of \$186,286 for the cost of housing students off campus through the end of the spring semester; the funds will come from non-academic vacancies.

Trustee Wright moved, seconded by Trustee Young, to approve additional funding for the cost of housing students off-campus with funds coming from non-academic vacancies. The motion passed by unanimous vote.

Mr. Gallot stated that per the request of the Finance Committee an analysis of the *Knight v. State* capital program was submitted to the Board for review.

E. PROPERTY COMMITTEE – *Trustee Buford Crutcher, Chair*

The Property Committee met on January 25, 2007. Trustee Crutcher asked that the issues discussed at the meeting be presented by Dr. Wooten, Interim Vice President for Administrative Services. Dr. Wooten distributed a summary document (attached) to the Board outlining the various University Construction projects and other facilities matters. No action is being requested from this Committee at this time.

F. STUDENT AFFAIRS – *Trustee Marvin Wiggins, Chair*

The Committee met on January 25, 2007. He commended the University for doing an outstanding job of keeping the dorms clean. Dr. Charles Smith made a brief report on the suite design for dormitory renovations. Renderings of the proposed plans were distributed to the Board of Trustees. No action from this Committee is being requested at this time.

XI. EXECUTIVE SESSION

Pursuant to Memorandum dated February 9, 2007, from Attorney Kenneth Thomas, University Counsel, the Board of Trustees convened into Executive Session to discuss legal matters. Referenced Memorandum is attached to these minutes.

XII. REPORT FROM THE EXECUTIVE SESSION

There was no report from the Executive Session.

XIII. PERSONNEL ACTIONS

1. Academic New Hires
2. Non-Academic New Hires
3. Academic Separations
4. Non-Academic Separations

Trustee Wright moved, seconded by Trustee Figures, to approve the personnel actions as presented by the University Administration. The motion passed by unanimous vote.

OTHER ACTION ITEMS

Trustee Reed moved, seconded by Trustee Young, to have legal Counsel develop a draft document that would be circulated to all Board members giving the Board the authority to take measures to keep undesirables off the campus. The motion passed by unanimous vote.

The President presented the Resolution to approve the Alcohol and Drug Abuse Policy that was previously mailed to the Board.

A motion was placed on the floor. The Chairman called for the vote. The motion passed by majority vote.

XIV. OTHER BUSINESS

1. Approval of the Revised Alabama State University Non-Academic Staff Handbook

This item was removed from the agenda per the request of President Lee.

2. Approval of Resolution to amend the Bylaws of the Alabama State University Board of Trustees to address the procedures for calling a reconvened meeting.

President Lee presented the resolution to amend the Alabama State University Bylaws to address the procedures for calling an emergency or reconvened meeting.

Trustee Figures responded that the Board had previously addressed the matter of reviewing the Bylaws and Trustee Robert Jones was charged at that time to complete a thorough analysis of the Bylaws; to his knowledge this analysis was never finalized.

Trustee Figures moved, seconded by Trustee Wright, that the entire by-laws be referred to the University Counsel for thorough review, including the issue of reconvened meetings as indicted in the referenced Resolution. The motion passed by majority vote. Voting aye: Crutcher, Crawley, Dean, Figures, Junkins, Wright, Wiggins, Young. Trustee Hodge abstained. Trustee Reed opposed.

Chairman Dean called for the motion on the Resolution as presented by the President.

Trustee Wiggins moved, seconded by Crawley, to adopt the Resolution as presented by the University President to amend the Bylaws of the Alabama State University Board of Trustees to address the procedures for calling a reconvened meeting. The motion passed by majority vote. Voting aye: Wiggins, Crutcher, Crawley, Junkins and Dean. Trustees Wright, Young and Hodge abstained. Trustees Figures and Reed opposed.

XV. ADJOURNMENT

Trustee Crawley moved, seconded by Trustee Wiggins, to recess the Board meeting at the call of the chair. The motion passed with majority vote. Trustee Reed opposed.

Chairman Dean recessed the meeting at 5:20 p.m.

APPROVED:

Trustee Elton N. Dean, Sr.
Chair, Alabama State University Board
Of Trustees

Date

Dr. Joe A. Lee, President of the
University and Secretary to the Board

Date

Attachments: Agenda – Board of Trustees Meeting of February 9, 2007
Memorandum from Attorney Kenneth Thomas regarding Executive Session
Resolution to Increase the Board Rate for 2007-2008
Resolution to Increase Fee for 2007-2008
Resolution to Transfer Food Service workers from the employment of ASU to
the Food Service Contractor

Resolution to Explore Purchase of Property, 901 South Union Street
Resolution to Grant Permission to Seek Accreditation for the Department of
Visual Arts and the Department of Theatre Arts
Resolution to Approve Alcohol and Drug Abuse Policy