

**BOARD OF TRUSTEES FOR ALABAMA STATE UNIVERSITY  
MINUTES OF THE REGULAR MEETING  
SEPTEMBER 22, 2005**

**Agenda Item I—Call to Order**

The meeting of the Alabama State University Board of Trustees was called to order by Chairman Elton N. Dean, Sr. at 1:30 p.m. in the Board Room of the Joe L. Reed Acadome.

**Agenda Item II—Invocation**

The invocation was led by Student Government Association Vice President Victor Raville.

**Agenda Item III—Establishment of Quorum**

In attendance were Trustees James C. Cox, Oscar Crawley, Buford Crutcher, Elton N. Dean, Sr., Thomas H. Figures, Patsy B. Parker, Joe L. Reed, Marvin Wiggins, Catherine W. Wright, and Herbert Young. Trustees Bobby M. Junkins and Lawrence J. Lemak were absent. Chairman Dean declared a quorum present.

**Agenda Item IV—Adoption of the Agenda**

On call for adoption of the agenda, it was moved by Trustee Parker, seconded by Trustee Wiggins that the agenda be adopted. Vice Chair Catherine Wright asked that the agenda be amended to include adoption of the Destin Energy Proposal under the Finance Committee Report, as Item XC-2. On call for the vote, the motion to adopt the amended motion was carried by unanimous vote.

**Agenda Item V—Adoption of Minutes of June 16, 2005**

Chairman Dean called for adoption of the Minutes of June 16, 2005. On motion by Trustee Figures, second by Trustee Parker, the Minutes of June 16, 2005 were adopted by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Figures, Parker, Wiggins and Young. Abstaining were Trustees Reed and Wright.

**Agenda Item VI—President's Report**

Chairman Dean asked President Lee to give his report. President Lee reported on various activities that had taken place since the last meeting, including work and research being done by the faculty; enrollment count of 5,442 students having been validated and 300 students in the system to be validated; the university's 14.6 default rate, the lowest the university has had, and the lowest among the HBCUs. He gave an update on the

Forensic Science project; noted that the second opinion on the Destin Energy Proposal has been received; faculty salary needs, dormitory repairs and lighting needs. Following his reports he answered questions regarding the Forensic Science project, and the theft of funds that were in the band room. President's Report Attached

Chairman Dean thanked Mr. John Knight for his efforts in getting funds for the Forensic Science project. On motion by Trustee Reed, second by Trustee Parker and adopted by unanimous vote, a resolution is to be prepared thanking Mr. Knight for his assistance. A letter of commendation is to be sent to Mrs. Dorenda Adams for her efforts in getting the Default Rate lowered.

#### **Agenda Item VII—Report from the Student Government Association.**

Chairman Dean called for the Student Government Association Report and it was given by Ms. Amelia Thomas, Student Government Association (SGA) President. She thanked the Board for taking care of some of the needs of the students the administration had been made aware of. Information was given regarding activities planned for Connection Day, needs of the athletic trainers, financial seminars to be held, and amending the SGA Constitution. She requested extending the library hours to midnight in preparation for semester examinations.

Trustee Cox inquired about needs of the athletic trainers, including tee shirts and work study payments for them. Chairman Dean indicated that he wants those matters corrected before the Gulf Coast Classic.

#### **Agenda Item VIII—Report from the Faculty Senate**

Dr. Caroline Yelding, Chair of the Senate, reported on the several concerns and needs of the faculty. Chairman Dean indicated that the Board will look into all of the concerns reported by the SGA and the Faculty Senate. He asked that copies of the SGA and Faculty Senate reports be given to President Lee.

#### **Agenda Item IX—Report from the Non-Academic Staff Council**

Mrs. Jessica Darrington, Chairman of the Non-Academic Staff Council, reported on some of the concerns previously discussed with President Lee when the Council met with him. Chairman Dean stated that the Board is looking into the concerns.

#### **Agenda Item X—Committee Reports**

Chairman Dean called for the **Student Affairs Committee Report** which was given by Trustee Wiggins, Chair of the Committee, who reported on repairs needs of the dormitories. On motion by Trustee Young, second by Trustee Parker, the Student Affairs Committee report was accepted by unanimous vote. President Lee made comments

about the issues reported by Trustee Wiggins and Dr. Yelding and indicated that resources are needed for those issues.

Following a 10-minute break, the Board was reconvened and Chairman Dean called for the **Academic Affairs Committee Report** which was given by Trustee Parker, Chair of the Committee. She noted that the Committee had not received the reports on the dormitories requested, but that the information requested from Dr. Thelma Ivery regarding the Forensic Science building and floor plans have been submitted. Trustee Parker read recommendations and resolutions from the Committee as follows: **Item A—Resolution to Grant Permission for the College of Health Sciences to Offer a Master’s Degree in Rehabilitation Counseling.** On motion by Trustee Parker, second by Trustee Wright, the resolution was adopted by unanimous vote. **Item B—Resolution to Grant Permission to Reorganize Academic Affairs.** Trustee Wiggins made comments regarding Dr. Tommie Stewart’s desire to add dance to the Visual and Performing Arts College. On motion by Trustee Parker, second by Trustee Wright, the resolution was adopted by unanimous vote. **Item C—Resolution on Good Character of Applicants for Admission.** On motion by Trustee Parker, second by Trustee Crawley, the resolution was carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Figures, Parker, Wiggins, Wright and Young. Trustee Reed abstained. **Item D—Resolution to Change Work Schedule and Work Load Policy.** It was moved by Trustee Parker, seconded by Trustee Crawley that the resolution be adopted. Following discussion regarding full load and compensation, Trustee Wiggins amended the resolution. Trustee Crawley seconded the amendment that was carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Figures, Parker, Wiggins, Wright and Young. Trustee Reed abstained. The amended resolution was carried by unanimous vote. **Item E—Resolution to Change Approval Level to be Excused from Commencement Exercises.** On motion by Trustee Parker, second by Trustee Crawley, the resolution was carried by unanimous vote. **Item F—Resolution to Change Criteria for Assistant and Associate Professors to Include Credentials Related to Teaching Field.** On motion by Trustee Parker, second by Trustee Wright, the resolution was adopted by unanimous vote. **Item G—Resolution to Add A Statement Regarding the Responsibility of Academic Administrators Who Pursue Concurrent Employment.** On motion by Trustee Parker, second by Trustee Wright, the resolution was carried by unanimous vote. **Item H—Resolution to Change the Creditable Teaching Experience Policy Regarding Prior Teaching Experience.** On motion by Trustee Parker, second by Trustee Wright, the resolution was adopted by unanimous vote. Chairman Dean complimented Trustee Parker for her report. Resolutions Attached

Trustee Parker made comments regarding enrollment and read a list of questions that the Committee requests be answered at the next meeting Vice President Evelyn White answered question from Trustee Reed regarding all students being required to take Spanish course(s).

Chairman Dean called for the **Finance Committee Report**. Trustee Wright, Chair of the Committee, made the report. She informed the Trustees that a power point presentation would be given by Mr. Freddie Gallot Jr., Vice President for Fiscal Affairs, to enable them to better understand how the budget is prepared. Vice President Gallot gave information from the power point outline explaining the budget priorities, state and tuition revenue, proposed differentiated percentage increases for salaries for all employees, and rising insurance cost. He explained the medical insurance analysis of rates for Blue Cross/Blue Shield and VIVA that was distributed. Following discussion, on motion by Trustee Wright, second by Trustee Parker, and carried by unanimous vote, the FY 2005-2006 Budget was approved. FY2005-2006 Operating Budget Analysis and 2006 Medical Insurance Analysis Attached

Trustee Wright requested President Lee to give information about the Destin Energy Proposal. By request of President Lee, Vice President Gallot made comments and reported that a resolution has to be passed. Mr. Fred Gray, General Counsel for the University, read some information from the consultant's report and raised some concerns about the issue of the Board being fully informed about the contents of the resolution. Following discussion, the Board instructed Attorney Gray to get in touch with the Bond Counselor to get responses to his concerns. Trustee Reed moved that the Board approve the resolution with the understanding that the University Counsel be satisfied with any exceptions to the resolution, subject to the Executive Committee review. By consensus, the motion was amended to include statements made by Mr. Gray and Mr. Gallot. The amended motion was seconded by Trustees Crawley and carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Reed, Wiggins and Wright. Voting nay were Trustees Figures and Young. Trustee Parker abstained. Destin Energy Report Attached

Destin Energy General Obligation Bond ??

There was no report from the Executive Committee.

Chairman Dean made comments about resolutions authorizing additional standing committees. Following reading of the resolution, it was moved by Trustee Crutcher, seconded by Trustee Crawley that the Board adopt the resolution authorizing the **Committee on Athletics** as a standing committee. On motion by Trustee Young, second by Crawley, the resolution was amended to remove intramurals. The amended resolution was carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Wiggins and Young. Voting nay were Trustees Figures and Reed. Abstaining were Trustees Parker and Wright.

Trustee Crutcher read the resolution authorizing the **Committee on Property** as a standing committee. It was moved by Trustee Crutcher, seconded by Trustee Crawley that the resolution be adopted and following much discussion regarding dividing the

Finance Committee, the motion carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Parker, Wiggins, Wright and Young. Voting nay were Trustees Figures and Reed.

On motion by Trustee Crutcher, second by Trustee Crawley, Article IV of the Board Bylaws was amended by resolution which was carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Parker, Wiggins, Wright and Young. Voting nay were Trustees Figures and Reed. Resolution Attached

#### **Agenda Item XI—Executive Session**

The Board went into Executive Session for the discussion of the good name and character of individuals and discussion of legal matters.

#### **Agenda Item XII—Report from Executive Session**

Chairman Dean called for action on the **President's Contract**. On motion by Trustee Crawley, second by Trustee Parker, the President's Contract was approved by unanimous vote.

Chairman Dean requested President Lee to give information regarding his recommendation to make some organizational changes. President Lee informed the Board of his **recommendation to restructure the marketing and communications area**. It was moved by Trustee Parker that in the best interest of effective marketing and communications for Alabama State University, that the Board accept the recommendation of the President for the restructuring of the marketing and communications area; that all positions in the area that represent restored positions reflect an annual salary commensurate with the last salary earned and the cost of living allowance approved by the university during said periods of time; that reclassified, existing and new positions share in the cost of living allowances. The motion was seconded by Trustee Crutcher, and carried by majority vote. Voting aye were Trustees Cox, Crawley, Crutcher, Dean, Parker, Wiggins, Wright and Young. Trustee Figures abstained.

#### **Agenda Item XIII—Personnel Actions**

Chairman Dean called for action on the Personnel Actions. It was moved by Trustee Reed, seconded by Trustee Wright to approve the President's recommendations concerning personnel actions with one exception, that being not to act on the recommendation regarding Dr. Horace Lamar, but to act on it as a separate motion. Following clarification of the motion, it was carried by unanimous vote.

Chairman Dean called for action on the recommendation regarding Dr. Lamar.

Trustee Figures moved that Dr. Lamar not be removed from the deanship as recommended by the President. The motion was seconded by Trustee Cox. Following some discussion, the motion was carried by majority vote. Voting aye were Trustees Cox, Crawley, Figures and Young. Voting nay were Trustees Dean, Wiggins and Wright. Trustees abstaining were Trustees Crutcher, Parker and Reed. President Lee inquired if he was to retain an individual in a position by the vote. Trustee Figures answered in the affirmative, if the recommendation was to remove Dr. Lamar from the deanship. President Lee stated that the recommendation is in the best interest of the University and that the vote has severely tied his hands in being President of the University. Trustee Wright noted that the vote was not in compliance with Board policy and she questioned how the Board would deal with the legal issue, if there is one. Attorney Solomon S. Seay gave information regarding the Board policy and noted that the non-renewal notice of Dr. Lamar's contract adhered to the policy; that it was timely done and that the notice served to non-renew the contract as dean; that the statute which created the Board gives the Board authority to appoint, retain or release.

In response to Trustee Wright noting that her question was in regard to the tenure matter that had been discussed, Attorney Seay stated that deans do not get tenure. Trustee Wright withdrew her question. President Lee indicated that he did not withdraw his concern as President and what the action does for running the University; that he wanted to register his concern in the record. Attorney Gray stated his understanding of what had happened regarding the non-renewal notice; the appointment of an interim dean and actions that would be required to "undo" the appointment of the interim dean. It was noted by President Lee, Attornies Gray and Seay that there is no longer a School of Music; that it has become a department; that the interim dean served in that capacity until today. In response to Attorney Seay's question regarding the appointment of a dean, Dr. Evelyn White, Vice President for Academic Affair, replied that a search will have to be undertaken for a dean for the College of Visual and Performing Arts. There was much discussion of and many questions raised about the matter. It was noted by Trustees Wiggins that since the Board approved the organizational restructuring which eliminated the position, the Board's vote was moot and it cannot place Dr. Lamar in a position that does not exist.

Trustee Cox stated his concern and indicated that he did not want to see Dr. Lamar separated from the University. President Lee noted that that is a tenure issue; that the policy was debated for some time and he asked if the Board was going to arbitrarily and capriciously change the policy. In response to question from Trustee Reed regarding the motion, it was noted by Trustee Figures that Dr. Lamar was listed under academic separation; that the motion was to not accept the President's recommendation with respect to the academic separation; that since the position of dean no longer exist, Dr. Lamar should not have been listed as an academic separation and the item should have been removed from the agenda. President Lee explained why the item was not removed from the agenda. Trustee Reed called for order of the day. In response to questions from Trustee Figures regarding the chairmanship of the Department of Music and Dr. Lamar

being named chairman by the Board, it was noted by President Lee and some Trustees that such action would overstep the Board policy. Attorney Seay stated that the President recommends to the Board; that neither can act without the other; that the Board cannot act without a recommendation from the President; that the President cannot make an appointment without the Board approval. Personnel Actions Attached

**XIV—Other Business**

President Lee recommended that a contract be approved appointing Mr. Lewis Jackson as Head Men's Basketball Coach at the salary that former Coach Rob Spivery received. The recommendation was unanimously approved.

There was no other business to come before the Board and on motion by Trustee Wright, second by Trustee Parker and carried by unanimous vote, the Board recessed until call of the Chairman.



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

**APPROVED**



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Elton N. Dean, Sr., Chairman of the  
Board Trustees

**ALABAMA STATE UNIVERSITY BOARD OF TRUSTEES  
REGULAR MEETING  
SEPTEMBER 22, 2006  
JOE L. REED ACADOME ROAD ROOM  
9:00 A.M.**

**AGENDA**

- I. Call to Order
- II. Invocation
- III. Establishment of Quorum
- IV. Adoption of Agenda
- V. Adoption of Minutes
- VI. President's Report
- VII. Report of the SGA
- VIII. Report of the Faculty Senate
- IX. Report of the Non-Academic Staff Council
- X. Committee Reports
  - A. Academic Affairs Committee
  - B. Athletic Committee
  - C. Finance Committee
  - D. Student Affairs Committee
  - E. Property Committee
- XI. Other Action Items
- XII. Executive Session
- XIII. Report from the Executive Session
- XIV. Personnel Actions
- XV. Other Business
- XVI. Adjournment