



**Alabama State University Board of Trustees
Regular Meeting
Friday, May 4, 2007
Joe L. Reed Acadome Board Room
10:00 A.M.**

MINTUES

I. CALL TO ORDER

The meeting of the Alabama State University Board of Trustees was called to order by Chairman Elton Dean at 10:10 a.m.

II. INVOCATION

The invocation was given by Rev. Ben Jones.

III. ESTABLISHMENT OF QUORUM

Dr. Joe A. Lee, President 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 Lawrence Lemak
Trustee Joe L. Reed
Trustee Marvin Wiggins
Trustee Herbert Young

IV. ADOPTION OF AGENDA

Trustee Wright moved, seconded by Trustee Figures, to move the Executive Session, (Agenda Item XIII), up to Agenda Item V. Thus, all other agenda items would move down respectively.

Trustee Wiggins requested the addition of two agenda items under Other Business - the food service contract, and the President's contract; and, adding the approval of an honorary degree under the Academic Affairs Committee report.

Trustee Figures stated that subsequent to the last meeting, all Board members received a correspondence from Dr. Ollie Underwood challenging the assumptions that were made relative to the resolution passed by the Board which moved food service workers from the employ of the

University to the employ of the food service contractor. Thus, Trustee Figures asked Board members to reconsider the action that was taken on the food service employees.

Trustee Wright then asked to add the resolution on the food service workers to the agenda under Other Business for reconsideration.

Trustee Figures moved, seconded by Trustee Wiggins, to adopt the agenda with the amendments as requested. The motion passed by unanimous vote.

V. EXECUTIVE SESSION

Pursuant to Memorandum dated May 4, 2007, from Attorney Kenneth Thomas, University Counsel, a motion was placed on the floor recommending the Board of Trustees to convene for Executive Session. The ASU Board of Trustees convened for Executive Session at 10:28 a.m. to discuss legal matters. Referenced Memorandum is attached to these minutes.

VI. REPORT FROM THE EXECUTIVE SESSION

President Lee made the following report from the Executive Session:

Litigation Number 1:

Three matters presented under Litigation Number 1:

- 1) President Lee recommended that the University provide legal representation and indemnification for *Party A* in litigation number 1.
Trustee Wiggins moved, seconded by Trustee Hodge, to accept the President's recommendation on *Party A*. The motion passed by unanimous vote.
- 2) President Lee recommended that the University provide legal representation and the cost of defense only for *Party B* in litigation number 1.
Trustee Wiggins moved, seconded by Trustee Crutcher, to accept the President's recommendation on *Party B*. The motion passed by unanimous vote.
- 3) President Lee recommended that the University not provide the cost of legal representation for *Party C* in litigation number 1.
Trustee Wiggins moved, seconded by Trustee Crutcher, to accept the President's recommendation on *Party C*.

Dr. Reed offered a substitute motion, seconded by Trustee Figures, to provide legal representation for all parties to include *Parties A, B & C* involved in litigation number 1. Voting aye: Trustees Reed and Figures; Voting nay: Trustees Dean, Crawley, Crutcher, Lemak, Junkins, Wright, Young, and Wiggins. Trustee Hodge Abstained. The substitute motion did not pass.

The Chair then called for the vote on the original motion to not provide presentation for *Party C* under Litigation Number 1. Voting aye: Trustees Dean, Crawley, Crutcher, Lemak, Junkins, Wright, Young, and Wiggins; Voting nay: Trustees Reed and Figures. The motion passed by majority vote.

Litigation Number 2:

President Lee recommended appealing the decision to the Alabama Supreme Court.

Trustee Wiggins moved, seconded by Trustee Crutcher, to accept the President's recommendation. The motion passed by unanimous vote.

Food Service Contract

President Lee stated that the recommendation regarding the food service contract was tabled at the last Board meeting and he was charged by the Board to request and review benefits packages from all bidders. Upon completion of this directive, President Lee proposed that the Board accept the University's recommendation to award the food service contract to Gourmet Services.

Trustee Figures moved, seconded by Trustee Hodge, to accept the recommendation presented by President Lee to award the food service contract to Gourmet Services. Voting aye: Trustees Dean, Reed, Figures, Lemak, Junkins, Wiggins, Crutcher, Young, Crawley, and Hodge. Trustees Wright and Crutcher abstained. Motion passed by majority vote.

VII. ELECTION OF OFFICERS

Trustee Dean opened the floor for nominations for chair and vice chair.

Trustee Crutcher nominated Trustee Dean for Chair and Trustee Crawley for Vice Chair. Trustee Figures nominated Trustee Young for Chair. Trustee Young declined the nomination. Trustee Reed nominated Trustee Figures for Vice Chair.

Trustee Dean closed the nominations and called for the vote on the nominations for Vice Chair. **Voting for Trustee Crawley - Trustees Hodge, Wiggins, Young, Lemak, Junkins, Crutcher, Crawley, and Dean; Voting for Trustee Figures - Trustees Reed and Figures; Trustee Wright abstained.**

By majority vote, Trustee Oscar Crawley will serve as Vice Chair of the Board of Trustees for a two year term.

There were no opposers to the nomination for Chair; therefore, Trustee Elton Dean will serve as Chair of the Board of Trustees for a two year term.

Trustee Dean called for nominations to the Executive Committee.

Trustee Crutcher nominated Trustee Marvin Wiggins as a member of the Executive Committee. Trustee Wiggins nominated Trustee Bobby Junkins.

Trustee Dean closed the nominations and called for the vote on Trustees Junkins and Wiggins to serve on the Executive Committee. Voting Aye: Trustees Dean, Crutcher, Crawley, Hodge, Lemak, Junkins, Reed, Wiggins and Young; Trustee Wright abstained.

Trustee Wiggins and Junkins were elected to serve as members of the Executive Committee

Chairman Dean announced the chairs of the Board of Trustees Standing Committees as follows:

**Academic Affairs Committee – Trustee Catherine W. Wright
Finance Committee – Trustee Herbert Young
Athletic Committee – Trustee Oscar Crawley
Student Affairs Committee – Trustee Marvin Wiggins
Property Committee – Trustee Buford Crutcher**

Chairman Dean further stated that individuals presently serving on the Standing Committees will remain as is until other changes are made.

VII. Adoption of the Minutes of the February 9, 2007 Meeting

Trustee Wright stated that a copy of the resolution on the by laws and changes relative to reconvening committee meetings was not attached to her minutes. She further inquired as to whether an item on Page 8 of the February 9, 2007 minutes (a thorough review of the Board of Trustees by-laws) was being addressed and urged the administration to expedite this process because it is extremely important.

Trustee Wiggins moved, seconded by Trustee Crutcher, to adopt the minutes with changes and concerns as noted by Trustee Wright. The motion passed by unanimous vote.

VIII. PRESIDENT'S REPORT

A copy of the report is attached to these minutes.

IX. REPORT OF THE SGA – MR. VICTOR REVILL

Mr. Revill thanked the Board and University Administration for working closely with the students. He asked that the Board consider the student views on the attendance policy that will be examined and voted on later in the meeting. An additional concern is the relocation of the SGA office during the demolition of the John Garrick Hardy Center. He further suggested that the University administration consider instituting a fall commencement ceremony. Mr. Revill made a presentation to President Lee for his support of the SGA during the 2006-2007 school term. He indicated that Trustee Wiggins received the plaque from the SGA for the Board.

XI. REPORT OF THE FACULTY SENATE

There was no report from the Faculty senate.

XII. REPORT OF THE NON-ACADEMIC STAFF COUNCIL – MR. RON DICKERSON

The Non-Academic Staff will be sponsoring the Annual Staff Interaction and Memorial Celebration on Friday, May 18, 2007 in the Shuttlesworth Dining Hall. They will be meeting with Blue Cross and Blue Shield to review the insurance package; there is no notification at this time about an increase in insurance premiums. In addition, the Non Academic Staff is requesting consideration of a 4-day work week for the summer.

XI. COMMITTEE REPORTS

A. Academic Affairs Committee

1. Approval of Resolution to Adopt a New Attendance Policy

After much discussion and concerns presented by Trustees Wright, Hodge, Wiggins and Young regarding the adoption of a new attendance policy, Trustee Hodge moved, seconded by Trustee Wright to refer the resolution back to the Academic Affairs Committee for further review. The motion passed by unanimous vote.

2. Approval to move Music Industry Concentration from the Department of Music to the Department of Communications
3. Approval of Resolution to Offer Forensic Science as a Concentration at Alabama State University
4. Approval to Offer a Hospitality and Tourism Management Concentration in the College of Business Administration

Trustee Hodge moved, seconded by Trustee Crutcher, to collectively approve the following resolutions presented by the Academic Affairs

Committee: Agenda Item XI. A. 2. Approval to Move Mnsic Industry Concentration; Agenda Item XI. A. 3. Approval of Resolution to offer Forensic Science as a Concentration; and, Agenda Item XI A. 4. Approval to Offer a Hospitality and Tourism Management Concentration. The motion passed by unanimous vote.

5. Awarding of Honorary Degree

It was the consensus of the Board, along with the University Counsel, to convene a brief Executive Session to discuss the name and character of the individual to whom the Honorary Degree would be awarded.

B. Athletics Committee – Trustee Herbert Young, Chair

The Athletic Committee was held on April 18, 2007 and presents one action item to the Board for consideration.

1. Resolution Approving Employee Service Status on all Athletic Appointments

The President recommended the approval of the resolution brought forth by the Athletic Committee.

Trustee Wiggins moved, seconded by Trustee Crawley, to approve the resolution approving employee service status on all athletic appointments. The motion passed by unanimous vote.

C. Finance Committee – Trustee Catherine W. Wright, Chair

The Finance Committee met on April 18, 2007 and no action items are being brought forth to the Board for consideration at this time. However, Trustee Wright asked that during the budget deliberations the administration consider more academic scholarship dollars. Trustee Figures suggested that the Finance Committee consider implementing an application fee. President Lee asked for consideration to purchase band uniforms in the upcoming 2007-2008 budget.

D. Property Committee – Trustee Buford Crutcher, Chair

The Property Committee met on April 18, 2007. Trustee Crutcher asked Dr. Wooten to present the issues from the Property Committee.

Student Center

Dr. Wooten asked Mr. Lee Sims, to briefly present the current design of the Student Union building.

Trustee Wright inquired if there is a plan for future expansion of this facility and when do we anticipate moving the current occupants out of the building.

Trustee Reed asked about the square footage of the new facility and if any of the current portions of the Hardy Center are being incorporated into the plans.

After a lengthy discussion, Trustee Crutcher stated that the purpose of Mr. Sims' presentation was to give the Board a brief overview of what is being planned for the Student Center. He said that there would be a Property Committee meeting in July to fully review the entire plan and make further recommendations to the Board.

Dorm Renovations

According to Dr. Wooten, two contractors submitted bids and they were both problematic. They are both above the amount that we were anticipating for the residence hall renovation.

Dr. Lee reported that we had projected the work on the first two dorms to run about \$7M. Based on a true student suite concept design, meeting specific city codes and a rush to design escalated the cost of this project to run over budget by \$3M.

Mr. Ken Upchurch shared the reasons why several issues were escalating the cost to renovate the dorms as stated by President Lee. The aggressive schedule to deliver the dorms in January 2008, the extreme deterioration of the building; and, the bid and construction time were all reasons for the high cost. Mr. Upchurch suggested that a better response would be achieved if some changes are made such as moving the delivery date to Summer 2008. Plans are underway to re-bid the project with the changes as indicated.

Trustee Crutcher stated that we have a 25 million dollar budget for dormitories; and, we expect to stay within the budget and manage the project closely.

Engagement of Consultant to Assist with Purchasing Property

Trustee Crutcher presented one action item from the Property Committee. They are seeking approval from the full Board to authorize the administration to engage the services of a special consultant to assist with the purchasing of other properties for the University.

Trustee Wiggins moved, seconded by Trustee Crawley, to authorize the Administration to engage the services of a special consultant to assist with the purchasing of properties. Voting yea: Trustees Dean, Crawley, Crutcher, Hodge, Lemak, Reed, Junkins, Wright, Wiggins, and Young. Trustee Figures abstained. The motion passed by majority vote.

E. Student Affairs Committee – Trustee Marvin Wiggins, Chair

There were no action items or report from the Student Affairs Committee.

XII. OTHER ACTION ITEMS

1. President Lee recommended that the appeal of Mr. Haywood Shaw be denied.

Trustee Figures moved, seconded by Trustee Wright, to accept the recommendation by the Administration to deny the appeal of Mr. Haywood Shaw. The motion passed by unanimous vote.

2. President Lee recommended that the appeal of Ms. Loretta Scott be denied.

Trustee Figures moved, seconded by Trustee Crawley, to accept the recommendation by the Administration to deny the appeal of Ms. Loretta Scott. The motion passed by unanimous vote.

3. Background Check

President Lee recommended that the Board approve the resolution requiring all future employees be subject to a background check.

Trustee Wiggins moved, seconded by Trustee Junkins, to approve the resolution requiring all future employees be subject to a background check. The motion passed by unanimous vote.

Trustee Reed suggested that the background check should be limited to a criminal background check and remove credit check from the resolution.

Trustee Reed offered an amended motion that all future employees must have employee history, criminal background check, verification of education and the President will reserve the right to add any necessary elements when hiring individuals in certain categories. Trustee Wright seconded the motion. The motion passed by unanimous vote.

Trustee Reed stated some concerns about performing a background check for current employees.

Trustee Wright moved, seconded by Young, that all current employees be subject to a criminal background check. The motion passed unanimously.

4. Approval of Resolution to Establish the Audit Committee

Trustee Young moved, seconded by Trustee Figures, to table this item until the next Board meeting. The motion passed by unanimous vote.

5. Reconsideration of Resolution to move Food Service Workers from the employ of the University to the employ of the Food Service Contractor

Trustee Figures moved, seconded by Trustee Wiggins, to table the food service workers matter. The motion passed by unanimous vote.

XV. Personnel Actions

- A. Recommendation for promotions
- B. Recommendation for Academic Tenure
- C. Academic New Hires
- D. Non-Academic New Hires
- E. Academic Separations
- D. Non-Academic Separations

President Lee stated that all information has been verified by policy. He, therefore, recommended approval of all personnel actions with one exception on the Head Football Coache's position. He recommended that the Board accept the appointment of Reggie Barlow as Head Football Coach.

Trustee Crutcher moved, Trustee Wiggins seconded, to accept the personnel actions as presented by the Administration. The motion passed by unanimous vote. The terms of the contract and salary will be worked out and brought back to the full board for consideration.

XVI. Other Business

1. Honorary Degree

President Lee presented a resolution bestowing the Doctorate of Humane Letters to Patsy Boyd Parker at Commencement on Saturday, May 5, 2007.

Trustee Wiggins moved, seconded by Trustee Crutcher, to award the Doctorate of Humane Letters to former Trustee Patsy Boyd Parker. The motion passed by unanimous vote.


2. President's Contract

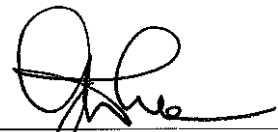
Trustee Crutcher moved, seconded by Trustee Crawley, the President's Contract be extended for two years. Voting aye: Trustees Dean, Crutcher, Crawley, Lemak, Junkins and Young. Voting nay: Trustees Reed and Figures. Trustees Wright and Wiggins abstained. The motion passed by majority vote.

XVII. Adjournment

Trustee Wiggins moved, seconded by Trustee Crawley to recess the meeting. The motion was passed by unanimous vote.

The meeting was recessed by Trustee Elton Dean.


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


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


Sandra Malone, Recorder

Attachments:

Agenda – May 4, 2007

Notice of Posting with the Secretary of State

Memorandum for Attorney Kenneth Thomas approving Executive Session

President's Report to the Board – May 4, 2007

Resolution to Move Music Industry Concentration from the Department of Music to the Department of Communications

Resolution to Offer Forensic Science as a concentration at Alabama State University

Resolution to offer a Hospitality and Tourism Management Concentration in the College of Business Administration

Resolution Approving Employee Service Status on All Athletic Appointments

Resolution to Implement Employee Background Check

**Report to the Board of Trustees
Alabama State University
May 4, 2007**

Thank you, Mr. Chairman, for this opportunity to briefly report a few items to the Board that have occurred since our last meeting. As you will readily note, the campus is beautiful, and the students are doing a much better job of taking care of the environment.

Let me briefly list a few developments since our last Board meeting.

- In recent months, much has been done to develop a new and improved customer service orientation in Administrative Services. Employees and management team have adopted the theme “ASU Starts With You!” Improvements are expected to be realized throughout the division in the areas of employee morale, employee relations, and overall productivity.**
- The staff in the Purchasing Department has increased their efforts to ensure that the University is in full and complete compliance with State rules and regulations. In addition, the staff is working harder to ensure that the University realizes its greatest service value to be obtained from vendors, contractors, and etc. relative to bidding processes and procedures.**

- **The Drop Out Prevention Center, under the direction of Mrs. Ella Bell, hosted its Annual Conference on April 11-13th in the Buskey auditorium. It was well attended by local, state and nationally recognized educators. The key note speaker was Mr. Nathan Thornbough, writer and editor of Time Magazine. As a follow- up of this conference, Mrs. Bell, Vice President for Academic Affairs and members of the Advisory Committee for the Center were invited by Mr. Thornbough to attend a national conference in Washington, D C on May 9th. The Governor's Office is supporting the travel.**
- **Drs. Scissum-Gunn, Shree Singh and Evelyn White were selected by the Howard Hughes Institute to attend a summit on Science Education in Chevy Chase Maryland. Only 16 HBCUs participated. A multi-million dollar proposal will be submitted as a result of this invitation.**
- **On April 25th, the senior marketing class presented an excellent Recruitment Plan for the Federal Bureau of Investigation. Two regional FBI officials were in attendance. The project was facilitated by Mr. Charlie Hardy, instructor of the class.**
- **One of our students, Ms Lokia Richardson, enrolled in our Communication Program, received an award from the State Associated Press for the Best Radio Feature Reporter.**

- **Mr. Brian Martin, in the Department of Theatre Arts, received the Best Coach Award from the Kennedy Center American College Theatre Festival.**
- **All of the furnishings for the Shuttlesworth Dining Hall have been delivered. The new furnishings donated by Gourmet Services, Inc. for the Executive and Faculty Dining rooms were delivered last Friday, April 27. As a result of the new furnishings, the dining facility looks good.**
- **The Grand Opening Committee has met and formulated plans for the official grand opening of the Fred Shuttlesworth Dining Facility to be held in June 2007.**
- **Mrs. Dorenda D. Adams, Director, Student Financial Aid, has been selected as a mentor for the FASTAP (Fiscal and Strategic Technical Assistance Program) Standards of Excellence Program. She has been assigned to work with Wiley College in Marshall, Texas.**
- **All of the Residence Hall Academic Labs are up and functioning.**
- **The Living-Learning Communities are functioning and the new Interim Coordinator has been busy working with faculty, staff and students to strengthen the program.**

- **The Student Leadership Institute is entering its final week of sessions and the students are participating in the Shadowing Program this week.**

- **The Montgomery Chamber Commerce has been very supportive in assisting us with this program.**
 - **We had twenty CEOs to agree to participate in the Shadowing Program.**

 - **A luncheon was held on April 12, 2007 and several of the CEOs were in attendance and had a chance to meet with their mentee.**

 - **A total of 24 students participated in the Shadowing Program, with four students who were in the Leadership Program last year.**

- **The Residence Hall Renovation Project is moving forward. We have met with furniture vendors and interior decorators in preliminary discussion and continue to met until we have reached a finally decision.**

- **Student Affairs provided support for Coach Charlie Cole, some of the football players and few other students to go to Enterprise, Alabama to assist the cleanup efforts.**

- **The Lady Hornets Track Team won the 2007 Outdoor SWAC Championship. Coach Horace Crump was named**

SWAC Track Coach of the Year for his many years of fielding championship track teams.

- **Michael Coe (Football) – Drafted by the Indianapolis Colts in the 4th Round**
- **Joshua Froneberger (Baseball) – 10.5 Strike Outs per game (Possible 1st Rounder MLB)**
- **The 2007 ASU Softball Team finished in a three way tie for 2nd Place in the SWAC Eastern Division.**

These are just a few of the good developments that took place at ASU since our last meeting. As you know, however, all of the news has not been good. We recently discovered that an employee in the Accounting Department, J. Michael Hinson, has been involved in what seems to be a fraudulent scheme dating back to 2005. The matter has been turned over to the Alabama Bureau of Investigation (ABI) and the Federal Bureau of Investigation (FBI) and an investigation is in progress. The Examiners for Public Accounts (EPA) for the State of Alabama and our External Auditors, Banks, Finley, White & Co. (BFW) were also notified. They, too, are examining this matter.

As a result of this development, we are proposing that we conduct background checks on all current and new employees.

A resolution is being prepared for your consideration and approval. Our desire is to make sure that we have employees at ASU who are here with the best interest of this institution in mind and heart.

Thank you, Mr. Chairman, for providing me this opportunity to bring the Board up-to-date on these items.

Respectfully submitted:

**Joe A. Lee
President**