



**ALABAMA STATE UNIVERSITY BOARD OF TRUSTEES MEETING
RECONVENED FROM THE MAY 10, 2013 MEETING**

**RENAISSANCE ROSS BRIDGE
HOOVER, ALABAMA**

July 31, 2013

9:00 a.m.

MINUTES

I. CALL TO ORDER

The reconvened meeting from the May 10, 2013 meeting of the Alabama State University Board of Trustees was called to order by Chairman Elton N. Dean at 9:07 a.m.

II. INVOCATION

The Invocation was given by Henry Davis, Executive Director of Public Safety at Alabama State University.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited by all.

IV. ESTABLISHMENT OF QUORUM

Upon voice roll call by President Harris, a quorum was affirmed. Those trustees present were Elton N. Dean, Sr., Marvin Wiggins, Locy Baker, Taylor Hodge, Alfreda Green, Bobby Junkins, Larry Thornton and Herbert Young. Trustees Jacqueline Brooks, Buford Crutcher, Thomas Figures and Robert Gilpin were absent.

V. ADOPTION OF AGENDA

Chairman Dean called for the adoption of the agenda.

Upon motion by Trustee Baker, seconded by Trustee Wiggins, the agenda was unanimously adopted.

VI. **ADOPTION OF MINUTES – May 10, 2013**

Chairman Dean called for the adoption of the minutes of the May 10, 2013 meeting.

Trustee Baker moved to adopt the minutes. In his second, Trustee Wiggins offered for consideration that the minutes incorporate the Resolution to Pay Legal Fees and Expenses incurred by University Officers and Employees in the Performance of their Official Duties as **Attachment F** of the May 10, 2013 meeting (**appended hereto as Attachment 1**) in which the Board of Trustees recognizes the appointment of legal representation for its officers and employees by privately retained counsel to be in the corporate interest of the University and direct the Interim President or his successor to pay the legal fees and expenses of its officers and employees or to reimburse the University's officers and employees for payment of the same. The Resolution allows no payment/reimbursements for legal services rendered or expenses incurred after a university officer or employee is no longer entitled to the presumption of innocence. Trustee Baker accepted the amended motion as friendly and the motion passed unanimously without debate.

VII. **PRESIDENT'S REPORT**

President Harris began his report by announcing that the NCAA Agreed Upon Procedures has been completed and is being circulated to the Board today for review.

Continuing, he reported that the administration has recently reviewed the operations of the Zelia Stephens Early Childhood Center (ECC) and determined that due to declining enrollment and financial inefficiency the administration will recommend that the university cease operating the Zelia Stephens Early Childhood Center effective June 2014.

Additionally, President Harris stated that the university has had considerable discussion regarding the operations at Southern Normal School. He has asked Provost Wilson to present a proposal on its future use which will be presented to the Board for review.

VIII. **ACTION ITEMS**

A. Approval of Resolution to Increase Tuition

President Harris reported that Alabama State University was the only institution of higher education in the state of Alabama that did not raise tuition last year. Further, because there is a need to increase revenue to accommodate the increased cost demands relating to the university's academic, student services and administrative functions, he asked the board for favorable consideration of a Resolution authorizing the University to increase tuition by 10 %, effective Fall 2013.

Upon motion by Trustees Wiggins and seconded by Trustee Young, the Resolution to increase tuition by 10%, effective Fall 2013 was unanimously approved. (**Attachment 2**)

B. Alabama State University Smoke Free Campus Policy

President Harris presented the Smoke/Tobacco Free Policy Proposal, which was previously circulated to the Board at its meeting in May. Considerable discussion ensued among Board members regarding the implementation of the policy and smoking cessation programs for smokers. Upon motion by Trustee Wiggins and properly seconded, the Board agreed to table the Smoke/Tobacco Free Policy until the Board has an opportunity to review it in more detail.

Following the motion to table action on the policy, President Harris said that he would exercise his executive authority to declare the campus a smoke/tobacco free workplace until such time that the Resolution is passed by the Board. It will be placed on the agenda at the next Board meeting.

IX. Executive Session

No Executive Session.

X. Report from Executive Session


No Report.

XI. Other Business


No other business.

XII. Recess

Upon motion, duly seconded and unanimously approved, the meeting recessed at 9:29 a.m. until the call of the Chair.



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



William H. Harris,
President Emeritus/Interim President
Secretary to the Alabama State
University Board of Trustees

9/27/13
DATE

ATTACHMENTS:

- 1) Attachment F of May 10, 2013 Meeting/ Resolution – Payment of Legal Fees and Expenses incurred by University Officers and Employees In the Performance of their Official Duties
- 2) Resolution – Authorization for Tuition Increase

**RESOLUTION OF THE ALABAMA STATE UNIVERSITY
BOARD OF TRUSTEES**

**PAYMENT OF LEGAL FEES AND EXPENSES INCURRED BY UNIVERSITY
OFFICERS AND EMPLOYEES IN THE PERFORMANCE OF THEIR
OFFICIAL DUTIES**

WHEREAS, certain officers and employees of Alabama State University, in both their official and individual capacities, have been required to respond to a forensic audit and other investigations/inquiries (“matters”) relating to financial transactions of the University over a period of years, and

WHEREAS, the response obligation of the University officers and employees to these matters, in their individual and official capacities, arises solely from their performance of their official duties, and such performance confers a substantial benefit to the University; and

WHEREAS, the performance by the University officers and employees of their official duties in responding to the aforesaid matters may serve as a basis for unwarranted criminal proceedings or civil causes of action in which the University may be made a party defendant;

BE IT RESOLVED, that the Alabama State University Board of Trustees hereby declares that the separate legal representation of its officers and employees by privately-retained counsel in responding to the aforesaid matters is well within the corporate interest of the University, pursuant to *City of Montgomery v. Collins*, 355 So.2d 1111 (Ala.1978); and

BE IT RESOLVED, that the Interim President , or when selected, the President of the University, is hereby authorized and directed to pay the legal fees and expenses of its officers and employees reasonably incurred in connection with matters related to the financial transactions of the University, or to reimburse the University officers and employees for payment of the same; and

BE IT FURTHER RESOLVED, that the University’s payment/reimbursement for the said legal fees and expenses shall include without limitation civil and criminal investigations, proceedings, and trials; provided, however, that such payments/reimbursements shall not be made for legal services rendered or expenses incurred after a University officer or employee is no longer entitled to the presumption of innocence .

Done on this 10th day of May, 2013.

Elton N. Dean, Sr.

ELTON N. DEAN, SR.

CHAIRMAN OF THE ALABAMA STATE UNIVERSITY BOARD OF TRUSTEES

W. Harris

DR. WILLIAM H. HARRIS

PRESIDENT AND SECRETARY TO THE ALABAMA STATE UNIVERSITY BOARD OF TRUSTEES

ALABAMA STATE UNIVERSITY
MONTGOMERY, ALABAMA

RESOLUTION

**AUTHORIZATION TO INCREASE TUITION AND FEES BEGINNING
FALL, 2013**

WHEREAS, Alabama State University finds it necessary to increase revenue to accommodate cost increases while state appropriations have been decreasing in prior years and for fiscal year 2013-14 has increased slightly and;

WHEREAS, the University finds it necessary to increase tuition and fees beginning Fall semester 2013 to meet increasing cost demands in its academic, student services, and administrative functions;

THEREFORE BE IT RESOLVED: That effective with the Fall Semester 2013, the Administration recommends to the Board of Trustees an increase in tuition and fees of 10%. The tuition for graduate students will be adjusted according to the current formula.

Elton N. Hearn, Sr.

W. J. Harris

31 July 13