



**MINUTES OF THE ALABAMA STATE UNIVERSITY BOARD OF TRUSTEES
REGULAR MEETING
JOE L. REED ACADOME BOARD ROOM**

**MAY 9, 2008
10:00 A.M.**

I. Call to Order

The meeting of the Alabama State University Board of Trustees was called to order by Chairman Dean at 10:00 a.m. in the Joe L. Reed Acadome Board Room.

II. Invocation

The invocation was given by Mr. Kenneth Dean.

III. Establishment of Quorum

President Joe A. Lee affirmed a quorum upon completion of roll call. In attendance were Trustees Dean, Crawley, Crutcher, Figures, Hodge, Reed, Seawright, Wiggins and Young. Trustees Junkins and Lemak were absent.

IV. Adoption of Agenda

Trustee Wiggins requested to add the approval of the President's letter of resignation under Agenda Item XI. Other Business.

Chairman Dean called for the motion to adopt the agenda with the added change. Trustee Crutcher moved, seconded by Trustee Hodge, to adopt the agenda with the change as requested by Trustee Wiggins. The motion carried unanimously.

V. Adoption of Minutes – February 8, 2008

Trustee Wiggins moved, seconded by Trustee Hodge, to adopt the minutes of February 8, 2008. The motion carried by unanimous vote.

VI. President's Report

President Lee briefed the Board on the state of the University since the last Board meeting in February. (A copy of the President's report is attached to the minutes).

VII. Report of the SGA – Mr. Duncan Kirkwood

Mr. Kirkwood expressed his appreciation to the Board and the Administration for their support of his Student Government Association presidency. He gave the Board

*Alabama State University Board of Trustees Meeting
Minutes
May 9, 2008*

an overview of the activities of the 2007-2008 SGA administration; a detailed copy of the accomplishments is attached to the minutes. Finally, he introduced the incoming SGA President for 2008-2009, Mr. Brian Weaver.

VIII. Report of the Faculty Senate – Dr. Derryn Moten

Dr. Moten, Chair of the Faculty Senate, made the following report to the Board of Trustees:

- The Faculty Senate Executive board met with Dr. Daniel Sullivan, to discuss faculty salaries and equity; the meeting was very productive.
- There have been several constructive meetings with Dr. Evelyn White, Vice President for Academic Affairs, on revision of the Faculty Handbook; the handbook must be completed before the SACS reaffirmation visit.
- There is a real concern for the advertising budget for faculty positions within the Department of Human Resources. Currently, ASU has 13 vacant faculty positions listed on our website. It is desirable to have these posted in the *Chronicle of Higher Education* because of their vast readership; however, this is not possible with the advertising funds currently available. The University recruits broadly for students; therefore, we should also seek to attain a diverse faculty and staff by recruiting nationally and internationally.
- The Faculty Senate would like an impact study done on the changes in entrance requirements being considered by the University.
- Lastly, the Faculty Senate concerned about the alleged grade changes reported in the NCAA report.

IX. Report of the Non-Academic Staff Council – Mr. Ron Dickerson

Mr. Dickerson made a brief report from the Non-Academic Staff Council. He stated that the Council would bring a request to implement a 4-day work week for the 2008 summer session for consideration to the President's Administrative Council, and ultimately seek approval from the full Board.

X. Committee Reports

Chairman Dean called for the report of the Board Committees.

A. Academic Affairs Committee

Trustee Taylor Hodge, Chair of the Academic Affairs Committee, reported that the Academic Affairs Committee meeting was abbreviated due to inclement weather; thus, the handouts being distributed by Dr. Evelyn White today regarding curriculum changes are for information only. However, two action items are being presented for approval.

1. Resolution to Award the Transitional Doctor of Physical Therapy Degree in the College of Health Sciences

Trustee Wiggins moved, seconded by Trustee Crutcher, to approve the Resolution to award the Transitional Doctor of Physical Therapy Degree in the College of Health Sciences. The motion passed unanimously.

2. Resolution to Grant Permission for the Reorganization of the College of Arts and Sciences

Trustee Wiggins moved, seconded by Trustee Young, to approve the Resolution to grant permission for the reorganization of the College of Arts and Sciences. The motion carried by unanimous vote.

B. Athletics Committee

Trustee Oscar Crawley, Chair of the Athletics Committee, reported that the Committee met on April 11, 2008, but there are no action items to bring forth at this time.

C. Finance Committee

Trustee Herbert Young, Chair of the Finance Committee, asked Mr. Gallot, Vice President for Fiscal Affairs, to present the two Resolutions from the Finance Committee:

Mr. Gallot stated that approval of Resolution # 1 to increase general University fees and room rate is being requested to pay the debt service on the bond issue to fund the completion of capital projects.

1. Resolution to Increase General University Fees and Room Rate

Trustee Hodge moved, seconded by Trustee Crawley, to approve the Resolution to increase general University fees by \$175.00/semester for all registered students and increase room rate by \$225.00/semester for resident students. The motion passed by majority vote; Trustee Reed opposed.

2. Resolution for Selection of a Bookstore Manager

Mr. Gallot stated that upon an assiduous selection process the Administration is recommending the appointment of Follet Higher Education Group to manage the University's bookstore for the next five years.

Trustee Hodge moved, seconded by Trustee Seawright, to approve the Resolution for the selection of Follet Higher Education Group as the University's bookstore manager.

Trustee Reed offered an amended motion stipulating that the administration ensure that the selected bookstore manager include minority vendor(s) participation. The amended motion was accepted by Trustee Hodge and Trustee Dean called for the vote. The amended motion passed unanimously.

D. Property Committee

1. Resolution Authorizing the University's Administration to Construct Three Temporary Parking Lots

Trustee Figures moved, seconded by Trustee Crawley, to approve the Resolution authorizing the University's administration to construct three temporary parking lots. The motion carried by unanimous vote.

2. Resolution Authorizing the University to Complete the Construction of the Cafeteria on the Southern Normal Campus

Trustee Reed moved, seconded by Trustee Crawley, to approve the Resolution authorizing the University to complete the construction of the cafeteria on the Southern Normal Campus. The motion passed unanimously.

3. Resolution Authorizing the University's Administration to Change the Name of the Alabama State University Police Department (ASUPD)

Trustee Wiggins moved, seconded by Trustee Crutcher, to approve the Resolution authorizing the University's Administration to change the name of the Alabama State University Policy Department to the ASU Department of Public Safety. The motion was approved by unanimous vote.

E. Student Affairs Committee

Trustee Marvin Wiggins, Chair of the Student Affairs Committee, stated that there was no report from the Student Affairs Committee.

XI. Other Business

1. Recommendation of the Commencement Committee Concerning the Implementation of Fall Commencement

President Lee presented the recommendation of the Commencement Committee to implement a Fall Commencement.

Upon call for the motion by Chairman Dean, Trustee Crawley moved to approve the recommendation for a Fall Commencement. The motion was seconded by Trustee Hodge, and approved by unanimous vote.

2. Recommendations for Tenure and Promotion 2007-2008

President Lee presented the recommendation for the 2007-2008 tenure and promotions. Upon a motion by Trustee Wiggins and seconded by Trustee Crawley, the Board unanimously approved the 2007-2008 tenure and promotion recommendations.

After some discussion as to whether the Board has to approve personnel actions (new hires, separation, etc.), President Lee offered the personnel report included in the Board materials for approval.

Trustee Wiggins moved, seconded by Trustee Young, to approve all personnel actions with the exception of the Vice President for Institutional Advancement. The vote was as follows: Yes votes – Trustees Dean, Crawley, Crutcher, Seawright, Wiggins and Young; No vote – Trustee Reed and Figures; Trustee Hodge abstained. The motion passed by majority vote.

3. Approval of the Extension of the contract of Mr. Lewis Jackson, ASU Men's Basketball Coach

Dr. Lee stated that it is time to renegotiate Coach Lewis Jackson's contract. He therefore, recommended approval of a 5 year contract extension with the specifics to be determined.

Trustee Wiggins moved, seconded by Trustee Crawley, to extend Coach Lewis Jackson's contract for a 5 year period at the end of his current contract. The motion passed unanimously.

4. Approval of Board of Trustees revised By-Laws

Trustee Wiggins moved, seconded by Trustee Young, to table the revised Board By-laws. The motion passed by unanimous vote.

5. Approval of President's Resignation (added agenda item)

Trustee Marvin Wiggins moved to accept the President's letter of resignation with the outline severance package.

Mr. Dean stated that as Chair of the Board, he was charged by the Board to meet with the President to discuss the terms of his resignation and severance package. Therefore, he asked University Counsel to get with Vice President Gallot to work out the specifics of the President's severance.

Accordingly, Mr. Gallot responded that he was asked by University Counsel to provide the severance package for the President to include the salary remaining on his current contract including fringe benefits. In addition, the President requested to remain in the President's house until June 30, 2008.

Dr. Reed raised a point of order regarding the motion on the floor. He asked, "Does the law allow an individual to be paid with state funds who is not employed by the state?"

After a lengthy discussion regarding the legality of paying the President a severance package, the Board voted to go into Executive Session without taking a vote on the motion on the floor.

XII. Executive Session

Pursuant to memorandum dated May 9, 2008, from Attorney Kenneth Thomas, University Counsel, a motion was placed on the floor by Trustee Crawley to convene an executive session to discuss legal matter(s). The motion was seconded by Trustee

Wiggins, and approved unanimously by the Board. The referenced memorandum is attached to these minutes.

XIII. Report from Executive Session

Trustee Wiggins restated his motion to accept the President's letter of resignation including the outlined severance package.

Trustee Figures offered an amended motion to submit the proposed severance package for the President to the Attorney General's office for an opinion. Trustee Reed seconded the amended motion. Trustees Reed and Figures voted yes. Opposing the motion were Trustees Crawley, Crutcher, Dean, Hodge, Seawright, Wiggins and Young. The amended motion placed on the floor by Trustee Figures did not pass.

Trustee Dean then called for the vote on the original motion placed on the floor by Trustee Wiggins to accept the President's letter of resignation including the outlined severance package. The motion was seconded by Trustee Crutcher. Voting yes were Trustees Dean, Crawley, Crutcher, Hodge, Seawright, Young and Wiggins. Trustees Reed and Figures opposed. The motion passed by majority vote.

XIV. Adjournment

Trustee Wiggins moved, seconded by Trustee Crawley, to recess the meeting until a future date to reconvene at the call of the Chair. The motion passed by majority vote. Trustees Figures and Reed abstained.

Attachments:

Agenda – May 9, 2008

Posting with the Secretary of State

President's Report

SGA Report

Approved Resolutions of May 9, 2008:

Resolution to Award the Transitional Doctor of Physical Therapy Degree in the College of Health Sciences

Resolution to Grant Permission for the Reorganization of the College of Arts and Sciences

Resolution to increase general University Fees and Room Rate

Resolution for Selection of a Bookstore Manager

Resolution Authorizing the University's Administration to Construct Three Temporary Parking Lots

Resolution Authorizing the University to complete the construction of the Cafeteria on the Southern Normal Campus

Resolution Authorizing the University's Administration to Change the Name of the Alabama State University Police Department (ASUPD)

Alabama Open Meetings Act

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Posted-By: Alabama State University
Board of Trustees

Notice History:

Submitted on 4/2

Meeting-Date: 5/9/2008

Meeting-Time: 10:00 AM

Meeting-Location: Alabama State Univ Joe L Reed Acadome Board Rm

915 S Jackson Street

Montgomery

AL,36104

Phone-Number: 334-229-4200

Meeting-Type: regular

Submission-datetime: 4/24/2008 12:59:04 PM

Notice:

- I. Call to Order
- li. Invocation
- III. Establishment of Quorum
- IV. Adoption of the Agenda
- V. Adoption of the Minutes
- VI. Reports
 - a. Faculty Senate
 - b. SGA
 - c. Non-Academic Council
- VII. Committee Reports
 - a. Academic Affairs
 - b. Athletics
 - c. Finance

ALABAMA STATE UNIVERSITY
Montgomery, Alabama

**RESOLUTION OF THE PROPERTY COMMITTEE OF THE
BOARD OF TRUSTEES**

May 9, 2008

A RESOLUTION TO APPROVE THE FACILITIES ASSESSMENT DOCUMENT.

WHEREAS, Alabama State University desires to develop a formal and comprehensive framework to evaluate the current conditions of its facilities; and

WHEREAS, the University desires to develop a comprehensive 10-year Capital Improvement Plan to address its deferred maintenance requirements; and

WHEREAS, Draper & Associates has been employed by the University to develop a Facilities Assessment Plan; and

WHEREAS, Draper & Associates has been engaged in data-gathering, fact-finding, and analytical efforts associated with 19 buildings on campus;

THEREFORE BE IT RESOLVED: That the Property Committee of the Board of Trustees recommends to the full Board of Trustees that the Facilities Assessment Plan, as developed by Draper & Associates, be approved.

ALABAMA STATE UNIVERSITY
Montgomery, Alabama

**RESOLUTION OF THE PROPERTY COMMITTEE OF THE
BOARD OF TRUSTEES**

May 9, 2008

A RESOLUTION TO APPROVE THE CAMPUS MASTER PLAN DOCUMENT.

WHEREAS, Alabama State University has a desire to update its Campus Master Plan; and

WHEREAS, the University has engaged the services of professional architects and campus planners; and

WHEREAS, major stakeholders of the University have been involved in the Campus Planning Development process;

THEREFORE BE IT RESOLVED: That the Property Committee of the Board of Trustees recommends to the full Board of Trustees that the updated Campus Master Plan, as developed by Brown Chambliss Architects / Sasaki Campus Planners, be approved.

**Alabama State University
Board of Trustees**

**Resolution to Grant Permission for the Reorganization
of the College of Arts and Sciences**

WHEREAS, great progress has been made in the science disciplines at Alabama State University; and

WHEREAS, the faculty of the College of Arts and Sciences are highly dedicated and have excelled in research, grantsmanship, scientific training, and other academic achievements; and

WHEREAS, Alabama State University has reached the inevitable point where these evolutionary changes now require a vision and mission that is more focused and geared toward promoting scientific research and other scholarly activities; and

WHEREAS, Alabama State University's recognition in the global science arena must be supported by an appropriate organizational structure; and

WHEREAS, uniting all scientific disciplines within one cohesive unit would showcase the institutional commitment and support of the sciences; and

WHEREAS, the science faculty members strongly support the creation of a new College of Science and Technology to further advance their mission and strong agenda in the science circles; now, therefore,

BE IT RESOLVED, that the Alabama State University Board of Trustees approves the granting of the reorganization of the College of Arts and Sciences to include two colleges instead of one: The College of Liberal Arts and Social Sciences, and The College of Science and Technology.

Executed this _____ day of _____, 2008.

Joe A. Lee Date
President of Alabama State University
Secretary to the Board of Trustees

Elton Dean Date
Chair, ASU Board of Trustees

**ALABAMA STATE UNIVERSITY
MONTGOMERY, ALABAMA**

**RESOLUTION TO INCREASE GENERAL UNIVERSITY FEES AND
ROOM RATE**

WHEREAS, Alabama State University has a need to undertake various capital projects to complete the scheduled construction plan; and

WHEREAS, the University has determined that it will be necessary to issue bonds to fund this expanded capital program in an amount not to exceed \$38 million; and

WHEREAS, the University has determined that it will be necessary to increase both general University fees and student housing fees to pay the annual debt services on the 2008 Bond Issue; and

WHEREAS, the University has concluded that it will be necessary to increase general University fees for all enrolled students by \$175 per semester and increase student housing fees for all resident students by \$225 per semester;

THEREFORE BE IT RESOLVED: That the Administration recommends and the Finance Committee approves increasing general University fees for all registered students by \$175 per semester and increasing room rent by \$225 per semester.

THEREFORE BE IT FURTHER RESOLVED: That the Finance Committee recommends to the full Board of Trustees that the general University fees for all registered students be increased by \$175 per semester and the room rent be increased by \$225 per semester.

Elton N. Dean, Jr.
Dean 5/9/08

**ALABAMA STATE UNIVERSITY
MONTGOMERY, ALABAMA**

RESOLUTION FOR SELECTION OF A BOOKSTORE MANAGER

WHEREAS, Alabama State University has concluded that it is in the best interest of the University to outsource its Bookstore operations; and

WHEREAS, the President of the University has appointed a selection committee which represents a cross section of the University's community and;


WHEREAS, the selection committee has deliberated and presented its report to the Vice President for Finance; and

WHEREAS, the Vice President for Finance has undertaken an assiduous due diligence review of the top firms selected by the selection committee; and

WHEREAS, the Vice President recommends to the President that Follett Higher Education Group should be engaged to manage the Bookstore for a period not to exceed five years as this firm's proposal best serves the interest of the University;

THEREFORE BE IT RESOLVED: That the President recommends and the Finance Committee approves the appointment of Follett Higher Education Group as the University's Bookstore Manager for a five-year period to be effective at the mutual convenience of the parties.

THEREFORE BE IT FURTHER RESOLVED: That the Finance Committee recommends to the full Board the appointment of Follett Higher Education Group to serve as the University's Bookstore Manager for the next five years.

Elton N. Dean, Jr.


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**ALABAMA STATE UNIVERSITY
MONTGOMERY, ALABAMA**

**RESOLUTION TO OPERATE THE UNIVERSITY ON THE 2007-2008 BUDGET
BASE FOR THE FIRST 60 DAYS OF THE 2008-2009 FISCAL YEAR**

WHEREAS, the President of Alabama State University has undertaken a complete reorganization and restructuring of the University; and

WHEREAS, the reorganization and restructuring will have a financial impact on the 2008-2009 Operating Budget; and

WHEREAS, it is the University's belief that these efforts can be accomplished within the next 60 days;

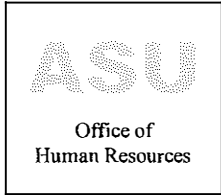
NOW THEREFORE BE IT RESOLVED THAT: The Administration recommends and the Board of Trustees' Finance Committee approves that the University will operate on the terms of the 2007-2008 Budget for 60 days in the 2008-2009 Fiscal Year, beginning October 1, 2008.

BE IT FURTHER RESOLVED THAT: Once the Administration has completed its Budget preparation process for Fiscal Year 2008-2009, the Administration will request that a Finance Committee meeting be convened to review the 2008-2009 Budget.

BE IT ALSO FURTHER RESOLVED THAT: Once the Finance Committee has completed its review, the Administration will request that the Chairman of the Board reconvene the full Board of Trustees to approve the 2008-2009 Operating Budget.

Approved:

[Signature]
9/9/08



ALABAMA STATE UNIVERSITY
Personnel and Human Relations
Board Report
January 11, 2008 through April 21, 2008

ACADEMIC NEW HIRES

<u>Name</u>	<u>Position</u>	<u>Highest Degree Education</u>	<u>Experience (Last three positions)</u>
Beverly H. Branson	Instructor Of Orientation	M.E. Jackson State University	1. Art Instructor, Jackson Public School, Jackson, MS 2. Art Instructor, Harrisville Middle School, Harrisville, MS 3. Area Director, Madison & Leake County Headstart Community Ed. Extension, Canton, MS

**ACADEMIC SEPARATIONS
(Information Only)**

<u>NAME</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Henry Cobbs	Associate Professor of CIS	College of Bus Admin	5/31/08
Chaunda A. McDavis	Assistant Professor of English	University College	5/31/08
Gene Ramsey	Assistant Profess of Foundation of Education	College of Education	5/31/08

RECOMMENDED ACADEMIC PROMOTIONS IN RANK

<u>Name</u>	<u>Current Rank</u>	<u>Recommended Rank</u>	<u>College</u>	<u>Status</u>
None				

ACADEMIC PROMOTIONS IN RANK DENIED

<u>Name</u>	<u>College</u>
NONE	

RECOMMENDED ACADEMIC TENURED

<u>Name</u>	<u>College</u>
None	

ACADEMIC TENURE DENIED

<u>Name</u>	<u>College</u>
None	

NON-ACADEMIC NEW HIRE

<u>Name</u>	<u>Position</u>	<u>Education</u>	<u>Experience (Last three positions)</u>
Stephanie Alexander	Staff Associate	B.A. Faulkner University	<ol style="list-style-type: none"> 1. Legal Assistant, Gray Law Firm, Tuskegee, AL 2. Officer Manager, Tuskegee Middle School, Tuskegee, AL 3. Paraeducator, Macon County Schools, Shorter, AL
Marcus V. Bell	Vice President for Institutional Advancement	M.A. Atlanta University	<ol style="list-style-type: none"> 1. Director III, Alabama State University, Montgomery, AL 2. Interim VP/Development, Morris Brown College, Atlanta, GA 3. Director III & IR, Morris Brown College, Atlanta, GA
Lance A. Bruner	Assistant Football Coach (Running Back)	B.S. West Texas A&M University	<ol style="list-style-type: none"> 1. Assistant DB Coach, West Texas A&M University, Amarillo, TX 2. Running Back Coach, West Texas A&M University, Amarillo, TX
Derrick D. Burroughs	Assistant Football Coach (Defensive Back)	B.A. University of Memphis	<ol style="list-style-type: none"> 1. Defensive Back Coach/Special Teams, Stillman College, Tuscaloosa, AL 2. Defensive Coordinator/Defensive Back, Clark Atlanta University, Atlanta, GA 3. Summer Intern Coach, Minnesota Vikings, Eden Prairie, MN
Glenn E. Caffey	Police Officer	Diploma Sidney Lanier High School	<ol style="list-style-type: none"> 1. Police Officer, Montgomery Police Dept., Montgomery, AL 2. Police Officer, AUM, Montgomery, AL 3. Police Officer, ASU, Montgomery, AL
Joe M. Elrod	Academic Counselor for Student Athletes	Ed.D. Louisiana State University	<ol style="list-style-type: none"> 1. Adjunct Instructor, Alabama State University, Montgomery, AL 2. Consultant, Joe M. Elrod & Associates, Inc., Montgomery, AL 3. Teacher, Alabama A&M University, Huntsville, AL
Christy A. Gaskin	Financial Aid Counselor	B.S. Troy University	<ol style="list-style-type: none"> 1. Financial Aid Officer, Capp's College, Montgomery, AL 2. Team Lead, EDS, Montgomery, AL 3. Financial Aid/Student Services, AUM, Montgomery, AL
Julia Gordon-Barnes	Administrative Secretary	Associate Degree Portland Community College	<ol style="list-style-type: none"> 1. Senior Secretary, Aspire Staffing, Montgomery, AL 2. Administrative Assistant, Youth Employment Institute, Portland, OR 3. Senior RX Assistant, Central Alabama Aging Consortium, Montgomery, AL

George M. Kelly	Director of Academic Support Program for Student Athletes	B.S. Morris Brown College	<ol style="list-style-type: none"> 1. Counselor, Tuskegee University, Tuskegee, AL 2. Educator/Coach, Randolph-Clay High School, Cuthbert, GA 3. Academic Advisor/Coach, Tuskegee University, Tuskegee, AL
Theresa C. Lewis-Davis	Administrative Secretary	Diploma Meridian High School;	<ol style="list-style-type: none"> 1. Administrative Secretary, Alabama State University, Montgomery, AL 2. Admission Assistant, Alabama State University, Montgomery, AL
Donna F. McReynolds	Assistant Certification Officer	M.S. Troy University	<ol style="list-style-type: none"> 1. Academic Advisor, Troy University, Montgomery, AL 2. Adjunct Instructor, Troy University, Montgomery, AL 3. Assistant Director of Financial Aid, Troy University, Montgomery, AL
AmyN. Miller	Academic Advisor	M.S. Alabama State University	<ol style="list-style-type: none"> 1. Staff Associate, Alabama State University, Montgomery, AL 2. Transcript Clerk/Special Records Assistant, Alabama State University, Montgomery, AL 3. Department Manager, Wal-Mart, Inc., Montgomery, AL
LaQuarria S. Nevins	Admissions Assistant	B.S. Alabama State University	<ol style="list-style-type: none"> 1. Legal Assistant, Law Office of Gwendolyn Kennedy, Montgomery, AL 2. Department of Human Resources, Montgomery County, Montgomery, AL 3. Administrative Assistant/Server/Trainer, Chilis, Montgomery, AL
Benjamin S. Noonan.	Offensive Coordinator	M.S. Texas A&M	<ol style="list-style-type: none"> 1. Co-Offensive Coordinator, West Texas A&M University, Amarillo, TX 2. Wide Receivers Coach, West Texas A&M University, Amarillo, TX 3. Health & Physical Education Instructor, West Texas A&M University, Amarillo, TX
Ricardo D. Palmore	Residence Hall Night Coordinator	Diploma Princeton High School	<ol style="list-style-type: none"> 1. Building Supervisor, Sylvan Learning Center, Montgomery, AL 2. Teacher, Pinkertson/Burns /Securitas, Montgomery, AL 3. Security Officer, Star Bank, Cincinnati, OH
Curtis Parker	Police Officer	Diploma Notasulga High School	<ol style="list-style-type: none"> 1. Pastor's Assistant, New Life COGIC, Montgomery, AL 2. Police Officer, AUM, Montgomery, AL 3. Police Officer, Tuskegee Police Department, Tuskegee, AL
Johnny B. Raines, Jr.	Residence Hall Night Coordinator	B.S. Alabama Christian College	<ol style="list-style-type: none"> 1. Highway Maintenance Tech, Department of Transportation, Montgomery, AL 2. On Call Residence Hall Staff, ASU, Montgomery, AL 3. Corrugators Assembly Operator, Brockway Glass Company, Montgomery, AL

Tansia E. Shealey	Director of Marketing	B.A. Alabama State University	<ol style="list-style-type: none"> 1. Staff Representative, Alabama State Employees Association, Montgomery, AL 2. Assignment Manager, WSFA-TV, Montgomery, AL 3. New Director, WVAS Alabama State University, Montgomery, AL
Eric P. Schnupp	Assistant Football Coach (Offensive Line)	B.S. University of Miami	<ol style="list-style-type: none"> 1. Offensive Line Coach, West Texas A&M University, Canyon, TX 2. Science Teacher, Miami Dade Public School, Miami, FL 3. Offensive Lineman, Chicago Enforcers, Chicago, IL
Shyla N. Summerlin	Administrative Secretary	Associate Trenholm State Technical	<ol style="list-style-type: none"> 1. Senior Secretary, Alabama State University, Montgomery, AL 2. Data Entry Clerk, Alabama State University, Montgomery, AL 3. Administrative Secretary, Alabama State University, Montgomery, AL
Cynthia D. Williams	Marketing & Communication Coordinator	B.A. Auburn University	<ol style="list-style-type: none"> 1. Marketing & Media Projects Coordinator, Alabama State University, Montgomery, AL 2. Unit Coordinator, CNN-News, Atlanta, GA 3. Paralegal, Turner Broadcasting System, Atlanta, GA

**NON-ACADEMIC SEPARATIONS
(Information Only)**

Name	Position	Department
Shelley Fearson	Computer Laboratory Manager	Teacher Education Center
Ernestine Freely	Senior Secretary	College of Arts & Sciences
Pamela Gregory	Bookkeeper	Southern Normal
Deborah Howard-Martin	Financial Aid Counselor	Fiscal Affairs
Kimya D. Kilgore	Accountant	Fiscal Affairs
VaQuita S. Maxwell	Bowling Coach	Intercollegiate Athletics
Anthony B. McKenzie	Maintenance Supervisor (SNA)	Physical Plant
Donna McReynolds	Assistant Teacher Certification Officer	College of Education
Sharon A. Portis	Office Manager	Department of Theatre Arts
Matthew L. Turner	Strength & Conditioning Coach	Intercollegiate Athletics
Julius White	Senior Correspondent/PA Coordinator	Radio Station WVAS
Ronal J. White	Painter	Physical
Leo Williams	Groundskeeper	Physical Plant
Tandra Wooten	News Reporter I	WVAS FM Radio Station

**DECEASED Employees
(Information Only)**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
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**RETIRED OR RETIRING EMPLOYEES
(Information Only)**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
William Armstrong	Police and Campus Security	3/01/08
Nicholas Astone	College of Arts & Sciences	9/01/08
Karon S. Baily	University College	6/01/08
Marzell Brown	Human Resources	3/01/08
Susanta Ghorai	College of Arts & Sciences	8/01/08
Elizabeth S. Griffins	Food Services	3/01/08
Gamell Richardson	Physical Plant	3/01/08
Joseph B. Simmons	Physical Plant	5/01/08

**DROP (Deferred Retirement Option Plan) PARTICIPANTS
(Information Only)**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
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**DROP TERMINATION/CONTINUED EMPLOYMENT
(Information Only)**

<u>NAME</u>	<u>DEPARTMENT</u>	<u>DATE</u>
Horace E. Crump	College of Education	3/31/08

**NEW POSITIONS ESTABLISHED AFTER FISCAL YEAR
OCTOBER 1, 2007**

<u>POSITION</u>	<u>DIVISION</u>	<u>FUND SOURCE</u>
Academic Counselor for Students Athletes	Intercollegiate Athletics	Grant
Assistant Director, Student Activities	Student Affairs	General
Associate Director of Intercollegiate Athletics/NCAA Compliance & Education	Intercollegiate Athletics	General
Customer Service Representative	Institutional Advancement	Grant
Construction Financial Analyst	Administrative Services	General
Crew Leader (Ground)	Administrative Services	General
Director of Academic Support Programs for Student Athletes	Intercollegiate Athletics	Grant
Director of Disability Services	Student Affairs	General
Police K-9 Officer	Administrative Services	General
Research Coordinator	Center For Leadership & Public Policy	Grant

STEP APPROVAL BY BOARD OF TRUSTEES

<u>Name</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>GRADE/STEP</u>
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RECLASSIFICATION

<u>Name</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>GRADE</u>
			<u>From</u> <u>To</u>

OTHER EMPLOYMENT CHANGES

<u>Name</u>	<u>POSITION</u>	<u>DEPARTMENT</u>	<u>Reason for Change</u>
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**Report to the Board of Trustees
Alabama State University
May 9, 2008**

Thank you, Mr. Chairman, for this opportunity to bring the Board up-to-date on a few matters since our last Board meeting. Before I go further, however, I would like to congratulate Trustee Crutcher on his recent confirmation on reappointment to the Board. Your service to this board is greatly appreciated.

As Charles Dickens said in “A Tale of Two Cities”—for ASU today, “...It is the best of times and the worst of times...” The best of times because many new and exciting initiatives are sprouting throughout this campus, students, faculty and staff are eagerly anticipating the completion of construction projects, agencies throughout this city are working with us as never before to help us realize many new endeavors, and alumni are literally, coming home. Case in point, the Golden Class of 1958 is here in full blossom – more than 83, and they brought more than \$50,000 in gifts to the University.

Equally, it is the “worst of times.” A week or so ago, we suffered the tragic loss of one of our students, an unexpected death that caused many of us here to reassess our own mortality. As we sit here this morning, we are facing a cut of possibly more than \$6 million in state funding for the coming year. And even this could have been much worse had John Knight not stood his grounds in getting some of those cut funds restored. Needless to say, the cuts we face for the coming year could not have come at a worse time. Through it all, however, we will not let this put a damper on our growth and development.

To say that we have been busy since our last meeting would be an understatement. Please allow me to list just a few of those major accomplishments for this period:

- Drs. Karyn Scissum-Gunn and Shree Singh and Trustee Alfred Seawright were part of the team that accompanied Governor Riley on a trip to China in April. Some of the contacts that they**

made during this trip are expected to strengthen our science programs.

- **Seven students and (7) faculty members in the College of Business Administration travelled to South Korea and toured prominent businesses and some universities. The students were required to present their perspective of the experience at a forum last week.**
- **Several members of the faculty and the Dean in University College will leave for Nigeria during the month of May to begin a collaboration to establish a student/faculty exchange program at a Nigerian university.**
- **A student exchange agreement has been established with Stirling University in Scotland. Two ASU students have enrolled in courses for the summer at Stirling University. They will be accompanied by Mr. Michael Howley, who was recently elected as Vice President of the Alabama Council on International Programs for 2009.**
- **Alabama State has established a mentoring program at Fort Deposit Elementary School through our Service Learning Program.**
- **During spring break, 12 students and 2 faculty members went to New Orleans to assist with the re-building of homes damaged by hurricane Katrina.**
- **Three ASU students were selected to participate in a 12 week summer technology internship at the University of Massachusetts at Amherst. They will receive a stipend and room/ board. Mr. Kenley Obas, Director of Computer Services**

for Academic Affairs, established the contact for this opportunity.

- **The College of Education has received the official notice of NCATE Accreditation.**
- **Dr. Pamela Burns in the Department of Music was appointed a board member and consultant for the Montgomery Symphony Orchestra Vann Vocal Institute.**
- **Governor Bob Riley has advised ASU that the University's FY 2008 application for Federal Transportation Enhancement funds has been approved. The Transportation Enhancement Program will provide \$230,000 in grant funding for landscaping along Carter Hill Road, Union Street, and along property adjacent to I-85. This will be a matching grant and the planned landscaping will coincide with the Campus Master Plan campus beautification initiatives.**
- **Corrective repairs in the Acadome are being made as part of the litigation efforts to remedy long-standing equipment-related problems. The University is coordinating this effort with its attorney and the designated contractor.**
- **We are sad to announce the resignation of Coach Horace Crump, Track Coach - effective May 31, 2008. As we all know, Coach Crump has built, over the years, the most enviable track program in the SWAC.**
- **The University was well represented at Deshean Usher Porchea's funeral in McDonough Ga. (Over 100 ASU students, student Athletes and staff). Deshean recently passed away following a pick-up basketball game in Lockhart Gymnasium.**

- **Frontline Insurance Co (Our Athletic Dept. Insurance Company) will donate five, (5) Automated External Defibrillators to the university to be placed at various locations on campus.**
- **177 student athletes have GPA's of 3.00-3.99 for the fall 2007, 7 student athletes had a 4.00 GPA for the fall 2007.**
- **The University has begun deliberations on the preparation of the Operating Budget for Fiscal Year 2008-2009. Preliminary information received from the State indicates that the State appropriation for Fiscal Year 2008-2009 will be reduced by at least \$6.2 million. The Administration has held a series of meetings to begin to formulate strategies to accommodate this drastic cut. Meetings will continue until a balanced budget has been formulated and submitted to the Board for approval.**
- **As a result of presentations made by the University to the Rating Agencies and Bond Insurers in New York City on March 2-6, 2008, the University is pleased to announce that Standard & Poor's (S&P) has increased the University's ratings from "A-" to "A" with a stable outlook. Also, Moody's Investors Service reaffirmed the University's rating of A2. This is considered a major accomplishment considering the financial state of affairs in the financial markets. Additionally, the University received a very favorable quote from Assured Guaranty as the insurer of the 2008 Bond Issue. The University received a quote of 40 basis points which is extremely auspicious in this market environment.**
- **The University successfully priced its 2008 Bonds on Wednesday, April 30, 2008. The Bonds were priced at an interest rate of 4.75%, which is an outstanding rate, considering the state of affairs of the financial markets. We expect to have a closing on the issue within the next week.**

- **As part of our Living Learning Language Community, nine (9) students, one (1) staff , and one (1) faculty member will be participating in a study tour to Costa Rica.**

- **Research of the “Bama State Collegians” continues in anticipation of the production of a historical documentation on their contribution to Alabama State University.**

- **The University will be highlighted in the production focus “Hidden Gems of Higher Learning” on television’s Eye On America Series, a syndicated production that airs on the Discovery Channel, Fox Business News, CNN, the Top 100 National Market, and regional networks.**

- **The Center for Leadership & Public Policy secured \$245,100 in grant funding from the Alabama Department of Rehabilitation Services to assist with completion of the Ticket to Work Medicaid Infrastructure grant objectives.**

- **The Center for Leadership & Public Policy held the 2008 High School Computing Olympiad; this event is targeted to all high school students in Alabama's Black Belt region. Students have an opportunity to participate in 3 different computer competitions. Seven schools and 72 students from the Black Belt area participated in the competition.**

- **WVAS-FM is preparing for conversion to digital broadcast radio. The digital transmitter is scheduled for 2008 delivery, with testing scheduled for September 2008. The complete conversion and digital broadcast is scheduled to premiere June 2009 on the 25th Anniversary of WVAS 90.7FM Radio Station. Two new channels will be launched to attract student demographics and others.**

- **The University has completed its search for a vendor to manage the University's Bookstore. The Administration recommended and the Finance Committee approved the appointment of Follett Higher Education Group to manage the Bookstore for the next five years. Upon approval by the Board of this appointment, negotiations will begin immediately to formulate a contract.**

- **Efforts are continuing for the selection of an Investment Advisor to advise the University in the management of the Endowment Portfolio.**

- **Considering the dismal prospect of state funding for FY 2008-2009, the Administration has put into place spending controls for the current fiscal year to potentially ameliorate the severe budget cuts, which will be required to balance the 2008-2009 Operating Budget.**

- **The SOS Leaders participated in the Southern Regional Orientation Workshop with about 1800 participants and placed second in the Spirit Competition.**

- **The North Dining Hall has been converted to a recreational area. It is equipped with pool tables, ping pong tables, card tables, lounge chairs, and a large screen television.**

- **SGA Elections were held on April 8 with 1,349 ballots cast. Bryan Weaver, President; Soniael Duncan, Vice President; Amani Greer, Secretary; Tony Cobb, Treasurer; Barbara Pringle, Miss ASU; Brittany Woodard, 1st Attendant, DeShawn Sutton, 2nd Attendant.**

- **Career Services sponsored Teachers Fair and Career Fair. Total student/alumni participation was 283 with a total of 145 recruiting organizations. This is surely an indication that graduates are highly sought after.**

- **WVAS-FM launched the programs “Radio Korea” (Korean language program), “Body Love” (health show), and “Home Grown Tomatoes” (gardening program).**

These are just a few of the events that have taken place since our last meeting. While we take great pride in these accomplishments, our challenges continue to mount. We are undaunted, however, and we are determined to move past any obstacles that could halt our momentum.

Finally, as I end this, my final report to this Board of Trustees, I want to sincerely thank you, Mr. Chairman, and those members of the Board who have supported my efforts during my tenure as president. I will forever cherish this opportunity.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Joe A. Lee', with a long horizontal flourish extending to the right.

**Joe A. Lee
President**

THOMAS, MEANS, GILLIS & SEAY, P.C.

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TO: Members, Board of Trustees for Alabama State University
President Joe A. Lee

FROM: Kenneth L. Thomas, Esq./*klt*
University Counsel

RE: Quarterly Status Report On ASU Cases/Matters

DATE: April 25, 2008

Please consider the following as a status report on all cases/matters involving Alabama State University for the period of February, 2008, to April, 2008. Section A discusses matters which have been settled or dismissed since the last status report. Section B discusses active litigation matters. Section C discusses active non-litigation matters.

Section A

1. *Horace Lamar v. Alabama State University*. The trial court granted the ASU Defendants' Motion for Summary Judgment in this case on July 12, 2007. The Plaintiff filed his Notice of Appeal to the Alabama Supreme Court on August 23, 2007. The Alabama Supreme Court transferred the case to the Alabama Court of Civil Appeals on September 6, 2007. The Court of Civil Appeals affirmed the decision of the trial court without an opinion on February 1, 2008. No further appellate review has been sought by the plaintiff. Accordingly, this matter is concluded.

2. *Clyde Humphrey v. Alabama State University*. Clyde Humphrey is a graduate of the University and sought enrollment into the University's Department of Graduate Studies. He failed to pass the Writing Competency Test. Humphrey, acting as his own attorney, filed a lawsuit against the University as well as Miles

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Office of the President

Members, Board of Trustees for Alabama State University

President Joe A. Lee

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College and the State Department of Education. Humphrey's claims were unclear, but it seems as though he was alleging that the University failed to accommodate his disability – a form of carpal tunnel syndrome. The trial court dismissed his lawsuit against all Defendants.

Humphrey, represented by counsel, appealed the trial court's dismissal to the Alabama Supreme Court. Humphrey's appeal asserted new arguments of violations of the Americans with Disabilities Act, the Age Discrimination in Employment Act, and the Equal Protection Clause. The Alabama Supreme Court affirmed the decision of the trial court without an opinion on March 14, 2008. Accordingly, this matter is concluded.

3. ***Reed v. Governor Riley, et al.*** William Clark, Thomas Figures and Dr. Joe L. Reed brought suit against Governor Bob Riley and Elton Dean, Chairman of the Alabama State University Board of Trustees. Clark and Figures were dismissed from the case by Order of the court. Reed sought a judgment declaring that the enabling statute for the Board of Trustees does not require a trustee to cease service at seventy (70) years of age. An Amended Complaint and a Motion for Summary Judgment have been filed on behalf of Reed. The Defendants filed a Response to the Motion for Summary Judgment and a Motion to Dismiss the Amended Complaint. The court issued an Order and Memorandum Opinion granting the Defendants' Motion for Summary Judgment on March 31, 2008. Reed has filed notice of appeal to the U.S. Court of Appeals for the 11th Circuit.

Section B

1. ***Jalonda Johnson v. Alabama State University.*** This lawsuit was filed after Johnson, a former student, filed an EEOC Charge alleging that Anwar Diop, the then Maintenance Department supervisor, raped her. Johnson also claims that the University discriminated against her because of her gender by canceling her twenty-hour position with the Physical Plant Department. This matter is currently in the discovery phase.

2. ***Vicky Arrington v. Alabama State University.*** The former Interim Chief of Police has filed a lawsuit against the University alleging gender discrimination. Arrington alleges that she was not selected for the position of Chief of Police because of her gender. This matter is in the discovery phase, and Arrington's deposition was taken on November 14, 2007.

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3. ***Marous Brothers Construction, Gil Berry & Associates v. Alabama State University, et al.*** The Marous Brothers and Gil Berry & Associates are companies that previously sought to contract with the University to renovate six (6) dormitories. Negotiations with these companies did not result in an agreement, and the University chose an alternative delivery method to renovate the dormitories. The Plaintiffs filed a lawsuit alleging breach of contract and conspiracy against the University, President Lee and Chairman Dean as well as TCU Consulting Services, Ken Upchurch and Percy Thomas. An Answer was filed on behalf of ASU, President Lee and Chairman Dean. This matter is currently in the discovery phase.

Gil Berry was deposed on January 24th and 25th, 2008. The deposition of Arne Goldman, as the corporate representative for Marous Brothers Construction, was held February 20th and 21st, 2008. Counsel for Berry withdrew from representation. The matter is currently stayed until April 30, 2008, to allow Berry to find new counsel.

4. ***Alabama State University v. Hinson, Wachovia Bank.*** James Michael Hinson was formerly employed as a Senior Accountant at Alabama State University. He admitted to embezzling over \$367,000 from the University. Patti Hinson is James Hinson's wife. There is evidence that she may have benefited and/or participated in the theft against the University. A complaint alleging fraud, negligence, conversion, outrage and conspiracy was filed on behalf of the University against the Hinsons on July 18, 2007. An amended complaint adding Wachovia Bank as a Defendant was filed on November 3, 2007. Wachovia filed a Motion to Strike the Amended Complaint and a Motion to Dismiss the Amended Complaint on December 27th and December 28th, 2007, respectively. The Court denied both of these Motions. The matter is currently in the discovery phase and set for trial on May 19, 2008.

5. ***Dr. Angela Dzata v. Alabama State University.*** Dr. Dzata is a professor in the University's College of Business. After her application for tenure was denied in March, 2007, Dr. Dzata filed an internal Equal Employment Opportunity ("EEO") grievance alleging that she was denied tenure because of racial and national origin discrimination. The EEO Committee determined that there was no evidence of discrimination.

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Dzata then filed a Charge of Discrimination against the University with the United States Equal Employment Opportunity Commission ("EEOC") on August 21, 2007. A response to the Charge was filed on September 28, 2007. The matter is still pending before the EEOC.

6. ***Kelvin Billups v. Alabama State University.*** Billups was one of two employees accused of stealing copper from ASU's North Dining Hall. Billups was recommended for termination and he elected to have a hearing. The hearing officer determined that there was sufficient evidence to hold that Billups committed theft of University property. The decision was appealed but upheld by President Lee and, subsequently by the Board of Trustees. Billups filed a Petition for a Writ of Certiorari in the Circuit Court of Montgomery County arguing against the process and the outcome of his termination proceedings.

7. ***Stanley Williams v. Alabama State University.*** Williams was one of two employees accused of stealing copper from ASU's North Dining Hall. Williams was recommended for termination, and he elected to have a hearing. The hearing officer determined that there was sufficient evidence to hold that Williams committed theft of University property. The decision was appealed but upheld by President Lee and subsequently by the Board of Trustees. Williams filed a Petition for a Writ of Certiorari in the Circuit Court of Montgomery County arguing against the process and the outcome of his termination proceedings.

Section C

1. ***State of Alabama v. Dr. Margaret Bradley (Southern Normal Campus).*** This matter arose out of a complaint by the Warden of the State Department of Corrections. Dr. Bradley directed ASU's branch campus at Brewton, Alabama. The facility used state inmates for various university-related maintenance chores. The Warden alleged that Dr. Bradley and the maintenance supervisor at the branch campus used the state inmates for personal services amounting to thousands of dollars in costs. The Department of Corrections stated that it did not want to continue a working relationship with ASU, unless Dr. Bradley and the maintenance supervisor were terminated. Dr. Bradley was subsequently terminated after an investigation conducted by the ASU Police Department. The State of Alabama decided to prosecute Bradley for using her position for personal gain. The Ethics

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Commission has informed us that the trial of this matter has been continued to a date to be determined based upon the death of Bradley's husband. However, a docket call is set in the matter for May 7, 2008.

1a. ***Guy Jones (Southern Normal Campus).*** Guy Jones was the maintenance supervisor at the Southern Normal Campus who was accused of impropriety, along with Dr. Bradley. During ASU PD's investigation, Jones admitted to using inmate labor to perform services at Dr. Bradley's home and her husband's business. The results of the investigation were forwarded to Dr. Leon Frazier, and he recommended that Jones be terminated. Jones did not request a hearing within the allotted time frame, and his Notice of Termination was signed by President Lee. The Ethics Commission has yet to state whether Jones will also be prosecuted as a result of its investigation.

2. ***ASU Football Program-NCAA.*** The University's supplemental self-report was submitted to the NCAA on February 11, 2008. The NCAA will issue a Notice of Allegations in the forthcoming weeks and will set a date for a hearing before the Committee on Infractions after the University submits the supplemental report and the accused coaches have submitted their response.

3. ***Kelvin Billups and Stanley Williams.*** These two former employees were terminated for stealing copper from ASU's North Dining Hall. The Ethics Commission is currently conducting an investigation into the matter.

4. ***Bel-Aire Acquisitions.*** The following properties have been acquired by the University to date:

- a. 1306 O'Connell Street
- b. 1432 O'Connell Street
- c. 1531 O'Connell Street
- d. 1605-1607 O'Connell Street
- e. 1616 O'Connell Street
- f. 1635 Fabel Court
- g. 1323 Hardaway Street
- h. 1520 Harriet Street
- i. 1430 St. John Street

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- j. 1531 St. John Street
- k. 1303 Hardaway Street
- l. 1543 Hardaway Street
- m. 1424 and 1426 Carrie Street (Duplex)
- n. 1615 O'Connell Street
- o. 2014 Pineleaf Street
- p. 1617 W. Fifth Street
- q. 1422 Harriet Street.

:sgs

cc: Tyrone C. Means, Esq.
H. Lewis Gillis, Esq.
Quinton S. Seay, Esq.
LaTasha A. Meadows, Esq.
Ramadanah M. Salaam-Jones, Esq
Frederic A. Bolling, Esq.