

MINUTES
BOARD OF TRUSTEES' MEETING
MARCH 18, 2011, 10:30 a.m.
POINT CLEAR, AL

The Troy University Board of Trustees met at 10:30 a.m. on March 18, 2011, at the Grand Hotel, Azalea Room, Point Clear, Alabama.

I. Call to Order

Dr. Doug Hawkins, President pro tempore of the Board, called the meeting to order.

II. Roll Call

Upon roll call, the following members, comprising a quorum, answered present: Dr. R. Douglas Hawkins, Senator Gerald O. Dial, Mr. Roy H. Drinkard, Mr. John D. Harrison, Mr. Lamar P. Higgins, Mrs. Karen E. Carter, Mr. Edward F. Crowell, Mr. Forrest S. Latta, Mr. C. Charles Nailen, Mr. Allen E. Owen, III, and Mr. William Filmore, SGA President (non-voting member). Absent: Governor Robert Bentley, Dr. Joe Morton, State Superintendent of Education; and Mr. Milton E. McGregor.

III. Approval of Minutes (October 16, 2010)

A draft copy of the October 16, 2010, minutes was mailed to Board members prior to the meeting. There being no additions or corrections, Dr. D. Hawkins called for a motion to approve the minutes as presented.

ACTION: Senator Dial made a motion to approve the Minutes as presented for the October 16, 2010, meeting. A second to the motion was made by Mr. Crowell. Having received a motion and second, the Minutes (copies of which were mailed to Board members prior to the meeting) were approved as presented.

IV. Reports

A. SGA Report

Mr. William Filmore, SGA President, thanked the Board members for their support during his two-year term as president. He also thanked Dr. John Dew, Senior Vice Chancellor for Student Services and Administration, for his support and assistance with the Student Government Association.

Mr. Filmore reported that the SGA projects this year included the establishment of a Food Advisory Council for Troy University which has worked with Sodexo with suggestions for changes in the current dining hall and also sharing ideas in regard to the new dining facility for the fall. For the Freshman Forum Leadership Conference last year, Mr. Filmore advised that a former SGA President, Representative Cam Ward, spoke to the group. This year another former SGA President, Mr. Ashley Aaron, will speak to the Forum. Mr. Filmore added that the SGA is working to build a good relationship in order to keep our alumni involved. Mr. Filmore reported that this year the SGA established an International Student Forum. The SGA also participated in a town hall night walk on the campus to look for areas that may need to be addressed. Other projects initiated include the use of social media to get information out to the student body about university activities. Mr. Filmore added that the SGA is working to get a recycling program going on campus which will be part of a recycling program called "Recycle Mania." "Trojan Today" is another project started two years ago and the purpose is to consolidate all activities happening on campus and send out an email each day announcing the events. Mr. Filmore shared information on several other projects of the SGA.

In conclusion, Mr. Filmore advised the Board that the incoming SGA President is Mr. Darreyell Laster.

At this time, Resolution No. 6, as shown in these minutes, recognizing Mr. Filmore was adopted on a motion as reflected below. Following adoption of Resolution No. 6, a framed copy of the resolution was presented to Mr. Filmore.

B. Board Committee Reports

o **Finance Committee, Honorable John Harrison**

Mr. Harrison introduced Resolutions No. 1 and 2 providing a brief explanation of each one. He reminded everyone that in these tough economic times Troy University has been financially fiscal to its students, faculty, staff, Board and the communities it serves and it will continue to do so. He commended the Chancellor, Dr. Jim Bookout, and others for their good work.

Following his comments, Mr. Harrison made a motion to adopt Resolution No. 1

• **Resolution No. 1—Changing Tuition Rates and Fee Structure**

Resolution No. 1

ACTION: Mr. Harrison made a motion to adopt Resolution No. 1. A second to the motion was made by Mr. Higgins. There was no further discussion and Resolution No. 1, which follows, was adopted as presented.

Resolution No. 1

Changing the Tuition Rates and Fee Structure

WHEREAS, Troy University has experienced a reduction in its state appropriations of approximately 30% from fiscal year 2008-2011; and has experienced a reduction in its ratio of “state appropriation to total budget from 29.3% for the fiscal year 2008 to 17.3% for the fiscal year 2011; and

WHEREAS, Troy University has become a self-reliant, tuition driven institution, only through good stewardship of its resources, sound financial management, and its entrepreneurial spirit has it been able to not only sustain itself during a declining economy but advance its mission; and

WHEREAS, Troy University’s current tuition structure is as follows; and

1. Undergraduate per credit hour tuition - \$216
2. Graduate per credit hour tuition from - \$246
3. eCampus tuition – undergraduate per credit hour tuition - \$250
4. eCampus tuition – graduate per credit hour tuition - \$420
5. eCampus tuition – MBA program per credit hour tuition - \$420
6. eArmyU tuition – per credit hour tuition - \$250

WHEREAS, Troy University’s current fee structure is as follows; and

1. Student dining fee of \$100 per term for Troy campus students taking 9+ cr. hr.’s (unless all 9 are online)
2. General Fee - \$24.00 per credit hour

WHEREAS, Troy University’s proposed tuition and fee structure for the 2012 Academic Year will need to include information and calculations that will not be available until May 2011.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES that Troy University proposes to increase the tuition and fee structure with the understanding that the Chancellor is authorized to set the final rate at some date after the legislative budget process is final.

Resolution No. 2—Transfer of Surplus Assets to Not-for-Profit

Organizations

Mr. Harrison advised that Resolution No. 2 is more of a “housekeeping” measure to provide transfer of surplus assets to non-profit organizations. He added that what the resolution accomplishes is providing the authority for the university to transfer equipment and assets in good working order to non-profit organization in lieu of a formal public sale.

Mr. Harrison made a motion to adopt Resolution No. 2

Resolution No. 2

ACTION: A motion to adopt Resolution No.2 was made by Mr. Harrison. A second was provided by Mr. Crowell. There being no further discussion, Resolution No. 2, which follows, was adopted.

Resolution No. 2

Transfer of Surplus Assets to Not-for-Profit Organizations

State of Alabama 1975, Title 41, Article 6 (Sections 41-16-120 through 125); and

WHEREAS, the code requires a formal sale to the general public of equipment and certain furnishings which have been deemed as no longer providing a benefit to the mission of the University; and

WHEREAS, Troy University periodically desires to supply Not-for-Profit Organizations with needed equipment and furnishings; and

WHEREAS, the Board of Trustees has the authority (Sections 16-56-2 and 16-56-7) to dispose of property as it may deem in the best interest of the university.

THEREFORE BE IT RESOLVED by the Board of Trustees of Troy University to authorize the University to transfer surplus equipment and furnishings in good working condition, in lieu of a formal public sale. Examples include, but are not limited to, band instruments, school desks, office desks, office furniture and science equipment. The process shall be implemented by the Department of Asset Management under the supervision of the Senior Vice Chancellor for Finance & Business Affairs.

ACTION: At this time, Senator Dial made a motion that the Board go into Executive Session in order to discuss the reputation and character of former and current university employees. This is allowed as set forth in Section 7(a) of the Open Meetings Act,” he added. The motion received a second from Mr. Higgins. The chair called for a voice vote. Prior to the vote, as a point of clarification, Mr. Harrison asked if when the Board comes out of Executive Session it will come back out of session by a motion/second/vote? The chair responded the Board will reconvene in approximately 30 minutes and will come back into the full session by a second and vote. He added that there will be no votes in the Executive Session; all voting will be done in open session. The voice vote of Board Members in attendance to go into Executive Session follows: Dr. Doug Hawkins, Yes; Mrs. Karen Carter, Yes; Mr. Ed Crowell, Yes; Senator Gerald Dial, Yes; Mr. Roy Drinkard, Yes; Mr. John Harrison, Yes; Mr. Lamar Higgins, Yes; Mr. Forrest Latta, Yes; Mr. Charles Nailen, Yes; and Mr. Allen Owen, Yes. The chair stated that hearing this vote the Board would now go into Executive Session.

Following Executive Session, on a motion from Mr. Harrison, seconded by Mr. Owen, the Board’s regular session reconvened.

- Executive Committee, Dr Doug Hawkins
 - **Resolution No. 3-- Alcoholic Beverages Policy**

At this time the chair entertained a motion to adopt Resolution No. 3 which follows.

ACTION: Mr. Owen made a motion to adopt the following resolution approving an alcoholic beverage policy. Seconded by Mr. Crowell, Resolution No. 3 as previously discussed by the Board, was approved unanimously.

Resolution No. 3

Alcoholic Beverages Policy

WHEREAS, Troy complies with and upholds all federal, state, and local laws that regulate and prohibit the possession, use, and distribution of alcohol, prescription drugs not prescribed by medical personnel, and/or illicit drugs; and

WHEREAS, students, faculty, staff, and employees of Troy, are hereby notified of the University's alcoholic beverages policy and are expected to adhere to the guidelines set forth by the University;

THEREFORE BE IT RESOLVED that Troy University amends its alcohol beverage policy to include all campuses brought together under the One Great University initiative. Effective immediately, Troy University will utilize the policy provided below.

Troy University Alcohol Policy

Alcoholic Beverages Policy Statement

Troy University recognizes that the use of illicit drugs and the abuse of alcohol interfere with the rights of everyone to a safe and productive educational environment or workplace. Troy University has a legal obligation to maintain a drug-free school and drug-free workplace. Accordingly, Troy complies with and upholds all federal, state, and local laws that regulate or prohibit the possession, use, or distribution of alcohol, prescription drugs not prescribed by medical personnel, and/or illicit drugs. Unless otherwise stated by law, each individual retains responsibility for his or her mental or physical state, even if altered by alcoholic beverages or other drugs. Students, faculty, staff, and employees of Troy, are hereby notified of the University's alcohol policy and are expected to adhere to the guidelines set forth in this policy.

Summary of State and Local Laws Regarding Alcohol

All campus leaders (faculty, staff, students) must ensure compliance with the following laws of the State of Alabama and the City of Troy:

1. Possession, use or purchase of liquor, beer, or wine by persons under 21 years of age.
(Code of Alabama, 28-3-266)
2. Sale or advertisement of sale of alcoholic beverages without a license.
(Code of Alabama, 28-3-60:10)
3. Public drunkenness. (Code of Alabama, 28-3-260:3)
4. Providing liquor, beer, or wine to an underage individual. (Code of Alabama, 28-3-261)
5. Sale of alcoholic beverages on Sunday. (Code of Alabama, 28-3-261)
6. Driving while under the influence of alcohol or controlled substances.
(Code of Alabama, 32-5A-191)

University Regulations

1. No individual under the legal drinking age of 21 years will be allowed to consume, serve, sell, or possess alcohol on university property.
2. Public drunkenness or driving under the influence on campus is prohibited.
3. The consumption of alcohol by those of legal drinking age will be restricted to the following properties of Troy University:
 - a. The Arboretum Building
 - b. Hawkins Adams Long Hall of Honor
 - c. Dining facility in specified areas

- d. Tailgate Terrace(s)
 - e. Riddle-Pace Field/Stadium
 - f. Stadium Club and Executive Suites
 - g. Other sports venues/locations as approved by the Chancellor
 - h. Private university living quarters where those present are of legal drinking age. Consumption or display of alcoholic beverages in the public areas of residence halls is prohibited.
 - i. For faculty sponsored events, the designee is the Senior Vice Chancellor for Academic Affairs; for events sponsored by the university administration, the designee is the Senior Vice Chancellor for Finance and Business Affairs; for development and alumni events, the designee is the Senior Vice Chancellor for Advancement and External Relations; and for all student services groups, the designee is the Senior Vice Chancellor for Student Services and Administration. Chancellor in coordination with the Athletic Director will approve the use and/or sale of alcohol at athletic events. The consumption of alcohol at other campus locations will be approved by the respective Campus Vice Chancellor in accordance with above policies.
4. Sponsorship of events promoting or glamorizing the consumption of alcoholic beverages is prohibited (i.e., two for one specials, beer bashes, happy hours, etc.).
 5. On-campus advertisements directly promoting consumption of alcoholic beverages are prohibited.
 6. Campus organizations must enforce additional group/individual standards, as directed by their national or international organizational bylaws, which may be more restrictive than those established in this policy.
 7. The consumption of alcohol during university field trips, off-campus student group activities, and other student-oriented off campus events is prohibited, unless in compliance with applicable laws and regulations (i.e., students are 21-years old, travel abroad where laws on alcohol consumption are less restrictive).
 8. University employees are strongly advised not to provide alcohol for students at off-campus locations. Employees choosing to provide alcohol to students do so outside the scope of their employment and assume all risks.
 9. The university may employ an agent for the purpose of selling alcohol at athletic events. The agent will be obligated to follow all the requirements of this policy. The Athletic Director in conjunction with the Senior Vice Chancellor for Finance and Business will recommend agent selection to the Chancellor. The Chancellor will have final authority for designating an agent.

Policy Violations

Enforcement of the alcohol policy for students shall reside in the Office of the Senior Vice Chancellor for Student Services and Administration, with the university's judicial officer acting as the initial contact for such violators. Enforcement of the alcohol policy for faculty resides with the Senior Vice Chancellor for Academic Affairs and for staff with the Senior Vice Chancellor for Finance and Business Affairs respectively. Violations in these areas will be handled by the University Personnel Advisory Committee. Enforcement on other campuses will be with the respective officials in the reporting chain of the officials previously cited.

Violations of the Troy University Alcohol Policy will be handled as follows:

University Organizations

First Time Offenders, within an academic year:

- A. Will be referred to the university judicial officer for disciplinary action.
- B. Will be fined \$200.*

Repeat Offenders, within an academic year:

- A. Will be referred to the university judicial officer for appropriate disciplinary action to include possible revocation or recognition as an approved organization.
- B. Will be fined \$500.*

Students

First Time Offenders, within an academic year:

- A. Will be referred to the university judicial officer for disciplinary action, in accordance with the Standards of Conduct as outlined in *The Oracle*, to include community service, alcohol assessment and/or counseling, or suspension.
- B. Will be fined \$75.*

Repeat Offenders, within an academic year:

- A. Will be referred to the university judicial officer for disciplinary action to include community service, alcohol assessment and/or counseling, or suspension.
- B. Will be fined \$150.*

Faculty/Staff

Violations of the alcohol policy by faculty/staff will be handled by the University Personnel Advisory Committee.

*Money collected from fines for alcohol policy violations will be used specifically for alcohol education programs. If it is determined that the student does not have the ability to pay the monetary fine, the student will be required to work the fine off through school services, to be determined by the Judicial Officer.

Services Provided

Troy provides free, confidential counseling for students having drug or alcohol abuse problems within the SAVE Project/Personal Counseling office or through similar programs on other campuses. Referrals for extended treatment may be made to community counseling and local treatment programs. Individuals not covered in the above areas should check with their respective campus counseling services to acquire necessary help or contact the Troy Personal Counseling office for further information.

Policy Distribution

The alcohol policy is made available to students, employees, and the general public through these key means:

- *The Oracle*, the student handbook, published and distributed through the Senior Vice Chancellor for Student Services and Administration office.
- *The Bulletin*, published and distributed through the Senior Vice Chancellor for Academic Affairs.
- *The Faculty Handbook* and *The Staff Handbook*, published and distributed by the Human Resources department.
- *ePolicy Manual* maintained by Senior Vice Chancellor for Academic Affairs.
- Housing and Residence Life Policy maintained by Senior Vice Chancellor for Student Services and Administration.
- Troy University Facility Reservation Policy maintained by Senior Vice Chancellor for Finance and Business Affairs.

Further, the Athletics office will cite this policy in its key publications. And, each Campus Vice Chancellor will provide appropriate guidelines for each campus.

Policy Review

The university's standing committee, The Substance Abuse and Prevention Committee, will annually review the university's alcohol policy across the campuses to assess its effectiveness. Recommended revisions will be presented to the Senior Vice Chancellor for Student Services and Administration.

- **Resolution No. 4—Naming of Athletic Facilities**

The chair called for a motion to adopt Resolution No 4. The following action was taken.

ACTION: Mr. Harrison made a motion to adopt the following resolution regarding naming of athletic facilities. The motion received a second from Mr. Higgins. There being no discussion, Resolution No. 4 which follows was approved by the Board.

Resolution No. 4

Naming of Athletic Facilities

WHEREAS, Troy University possesses the premiere athletic venues in Wiregrass region of Alabama; and

WHEREAS, the Board of Trustees reaffirms that naming of a university facility in honor of an individual to be one of the highest distinctions it can bestow; and

WHEREAS, the naming of a facility is not only a high honor but also a conspicuous honor; and

WHEREAS, the Board of Trustees reaffirms its resolution of May 9, 2003 and desires that certain naming opportunities be announced at significant occasions;

THEREFORE, the Board of Trustees looks to the Chancellor to make special public announcements when next appropriate in accordance with expressed desire of the Trustees.

- **Resolution No. 5—Designation of Annual Meeting**

The chair called for a motion to approve the following resolution designating July 22, 2011, as the annual meeting of the Board. It was noted the meeting will be held in conjunction with commencement.

Resolution No. 5

ACTION: Mr. Crowell made a motion to adopt Resolution No. 5. A second was received from Mrs. Carter. There being no discussion, Resolution No. 5, which follows, was adopted by the Board.

Resolution No. 5

Designation of Annual Meeting

BE IT RESOLVED, that the meeting of the Board of Trustees of Troy University on July 22, 2011, be and is hereby designated the annual meeting as provided for in the Code of Alabama, 1975, §16-56-4.

Resolution No. 6

- **Resolution No. 6—Commending Mr. William Filmore**

ACTION: Resolution No. 6 was adopted on a motion made by Mr. Owen and seconded by Mrs. Carter.

Resolution No. 6

Commending Mr. William Filmore

WHEREAS, William Filmore served as President of the Troy University Student Government Association for the 2010-2011 academic year; and

WHEREAS, Mr. Filmore has exhibited outstanding leadership qualities and has played an integral role in the growth and progress of the University; and

WHEREAS, Mr. Filmore is an exemplary advocate of Trojan Spirit and has ably represented the student body on the Board of Trustees, among the faculty and staff and in the greater community;

THEREFORE BE IT RESOLVED, that the Board of Trustees hereby recognizes William Filmore for his service as Student Government Association President and wishes him the best for future success.

- **Resolution No. 7—Commendation Resolution**

A call was made for a motion to approve Resolution No. 7. The following action was taken.

Resolution No. 7

ACTION: Resolution No. 7 was adopted on a motion made by Mr. Nailen and seconded by Senator Dial.

Resolution No. 7

Honoring Ed D. Roach, Ph.D.

WHEREAS, Dr. Ed Roach joined Troy University's administrative leadership serving as the Executive Vice Chancellor and Provost from March 2002 to September 2010; and

WHEREAS, Dr. Roach's range of academic and management expertise contributed an integral role in the growth and progress of Troy University; and

WHEREAS, Dr. Roach's organizational skills and leadership greatly facilitated the transformation to "One Great University" from three independently accredited universities;

THEREFORE BE IT RESOLVED, upon recommendation of the Chancellor, that the Board of Trustees hereby recognizes Dr. Ed Roach for his service to Troy University and higher education in the State of Alabama.

V. Other

Dr. D. Hawkins called upon Mr. Higgins. He moved that an ad-hoc committee be formed for the purpose of reviewing the Bylaws of the Troy University Board of Trustees.

Resolution No. 8

ACTION: Mr. Higgins' motion to form an ad-hoc committee to review and amend the Bylaws of the Board of Trustees received a second from Senator Dial. The chair identified

this motion as Resolution No. 8 and called for discussion. There being no discussion the motion was adopted.

Another item brought forward by Mr. Higgins for Board consideration follows:

ACTION: Mr. Higgins introduced a concept of establishing an alliance that would begin conversations with Boards of Trustees of the institutions in Alabama with the possibility of forming an association to promote higher education. Discussion followed. The Board members voted their approval of this concept.

The following is action taken by the Board regarding a Nominating Committee:

ACTION: Dr. D. Hawkins appointed a Nominating Committee for the purpose of reporting to the full Board at the July. Allen Owen was appointed to chair the committee. Mr. Higgins and Mrs. Carter will serve on the committee with Mr. Owen. Dr. D. Hawkins added that following the Nominating Committee report in July the floor will be open to anyone who wants to make nominations for any officers of the Board.

Discussion followed regarding the process for revising the Bylaws.


The chair called for any further discussions.

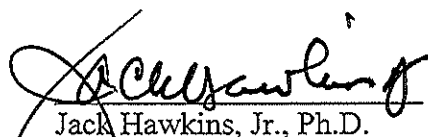
Mr. Nailen said that following the presentations during the retreat regarding the financial piece and following Dr. Patterson's SWOT analysis—specifically comments about being financially strong but vulnerable and threat of long term financial instability of state funding—Mr. Nailen made a suggestion for consideration that the Finance Committee of the Board do a “deep dive” with Dr. Jim Bookout, Senior Vice Chancellor for Finance and Business Affairs, on a quarterly basis of the finances of the university and then the committee could report out to the Board so that they can stay well informed about the university finances. Mr. Nailen added that he says this because of the comments mentioned above made at the retreat and because of those in the context of reading in the newspaper about Birmingham Southern's financial crisis that may not have been well known by its Board of Trustees. It was noted that this was presented as a suggestion.

Mr. Harrison took this opportunity to express thanks to Mr. Forrest Latta for his help in helping make this location available for the Board of Trustees Retreat.

VI. Adjournment

There being no further business to come before the Board, the meeting adjourned on a motion by Senator Dial, seconded by Dr. D. Hawkins, and approved by the full Board


R. Douglas Hawkins, D.V.M.
President pro tempore
Board of Trustees


Jack Hawkins, Jr., Ph.D.
Secretary, Board of Trustees
and Chancellor, Troy University