

BOARD OF TRUSTEES
University of West Alabama
Bell Conference Center
June 5, 2006, 10:30 a.m.

A G E N D A

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes for March 6, 2006
- V. Report of the Board President
 - A. Introduction of Senator Bobby Singleton
 - B. Approval of Minutes from Board Retreat on January 27-28, 2006
 - C. University Charter
 - D. Board Bylaws
 - 1. Changes in title of Board Chair and Vice Chair
 - 2. Amendment due to Alabama Open Meetings Act
- VI. Committee Reports
 - A. University Facilities Committee (Alex Saad, Chair)
 - B. Student Life Committee (Lena Hardaway, Chair)
 - C. Finance Committee (Tom Umphrey, Chair)
 - 1. Presentation of 2006-2007 University Budget
 - 2. Approval of 2006-2007 University Budget
- VII. Provost's Report
 - A. Online Program Self-Study
 - B. Status of Datatel Installation
 - C. Status of Faculty Searches
 - D. Minority Recruitment and Faculty Diversity
- VIII. University President's Report
 - A. Projected Enrollment
 - 1. Summer 2006
 - 2. Fall 2006
 - B. Status Report of Fundraising Campaign
 - C. Status Report of Department of Athletics, 2005-2006
- IX. Adjourn

The University of West Alabama
BOARD OF TRUSTEES
Bell Conference Center
June 5, 2006, 10:30 a.m.

I. CALL TO ORDER

Mr. Alex Saad, President of the Board, called the meeting to order and requested Dr. Joe Wilkins to give the invocation.

II. ROLL CALL

Mr. Saad asked Ms. Earlene Lindsey to call the roll. Trustees attending were: Mr. Thomas Ballow, Jr., Mr. Terry Bunn, Mrs. Margaret Lovett, Dr. Louise Nolen, Mr. John Northcutt, Dr. Doris Oliveira, Mr. Alex Saad, Mr. Thed Spree, and Dr. Tom Umphrey. Members absent were: Mrs. Lena Hardaway, Mr. Robert Keahey, Mr. Preston Minus, and Mr. John Smith. A quorum was present.

III. APPROVAL OF REVISED AGENDA

Mr. Saad asked for a motion to amend the Agenda because the Board received a request from the President to award two honorary degrees and to schedule a Board retreat. Dr. Umphrey moved to amend the Agenda to add the two items of consideration – 1) the awarding of two honorary degrees and 2) the scheduling of a Board retreat; Mr. Northcutt seconded the motion; and the motion passed.

Dr. Umphrey moved to approve the Agenda, including the amendments, and Mrs. Lovett seconded the motion. The motion passed.

IV. APPROVAL OF MINUTES OF MARCH 6, 2006, MEETING

There were no changes to the minutes from the meeting held on March 6, 2006, and Dr. Oliveira moved to approve. Mrs. Lovett seconded the motion, and the motion passed.

V. REPORT OF THE BOARD PRESIDENT

A. Introduction of Senator Bobby Singleton

Mr. Singleton did not attend the meeting.

B. Approval of Minutes from Board Retreat on January 27-28, 2006

Mrs. Lovett made a motion to approve the minutes from the Board Retreat held on January 27-28, 2006. Mr. Ballow seconded the motion and the motion was approved.

C. University Charter

For informational purposes, Mr. Saad said the revised University Charter was passed by the Legislature and signed by the Governor. He said the Charter does consist of a couple of items which will require changes in the Board Bylaws; such as the title of certain officers and the change to comply with the Open Meetings Act. (Note: these changes are outlined in the next paragraph.)

D. Board Bylaws

1. Changes in Title of Board Chair and Vice Chair

The preference for the offices of chair and vice chair of universities in Alabama is now president and vice president, and this was reflected in the recent passage of the UWA Charter by the State Legislature and signed by the Governor. Mr. Saad asked for a motion to revise the Board Bylaws to make this change. Mr. Ballow moved to make these changes to the Bylaws, Dr. Oliveira seconded the motion, and the motion was approved.

2. Amendment due to Alabama Open Meetings Act

Mr. Saad asked the Board members to turn to Page 5 of the Bylaws, and as indicated in RED, a change needs to be made pertaining to the Alabama Open Meetings Act. He said it is a matter of deletion and addition and noted that these changes are to bring the Bylaws into conformity with the Alabama Open Meetings Act. Section 8, Public Admission to Meetings will state

"All official meetings of the Board shall be open to the public provided, however, that the Board may go into executive session for reasons defined in and through the procedure prescribed by the Alabama Open Meetings Act. Formal official action by the Board resulting from any discussions during executive session shall be taken by the Board in an open meeting and made a part of the official minutes, which shall be available for public inspection upon request".

The remaining portion of the above paragraph in the Bylaws will be deleted because it would not apply since the passage of the Open Meetings Act. Mr. Northcutt moved to revise the Board Bylaws to reflect the above change, and Dr. Oliveira seconded the motion. The motion was approved.

E. Honorary Degrees

Mr. Saad reported that he received a request to consider awarding two honorary degrees – one to Mrs. Derthia Whitson Taube and the other to her spouse, Mr. William Winthrop Taube, indicating their biographical information would be found in Section 2 of the binder provided to the Trustees. He stated Mrs. Taube was an alumna of UWA and that she and her husband have been very loyal supporters of the University. Mr. Saad added that they both worked in the field of education for many years and are in their 90s.

Mr. Saad said the recommendations were presented to the Faculty Honorary Degree Committee, and after its approval, are requesting that the Board consider a motion to present honorary degrees to Mr. and Mrs. Taube. Mr. Bunn made the motion to approve this action, and Dr. Umphrey seconded the motion. The motion was approved.

Mr. Saad indicated that, due to Mrs. Taube's health, the University would like to have a ceremony to present these degrees on June 24, 2006, at 11:00 a.m., in the Bell Conference Center. He said he felt this honor was very much overdue.

VI. COMMITTEE REPORTS

A. *University Facilities Committee*

Cellular South

Mr. Saad reported the Committee met this morning, but did not have a quorum. He said a proposal was presented to the University by Cellular South to lease 2.69 acres of property on the north end of the campus, paying the lease at \$400 per month with an escalating payment increase in the amount of 10% every five years. The length of the lease will be forty years, and Cellular South will also give the University space on the tower to enhance the University's transmission capability. A motion to approve the lease of the 2.69 acres to Cellular South was made by Dr. Umphrey, and Mrs. Lovett seconded. Mr. Spree asked if the \$400 per month was enough to charge the leasing company. Mr. Saad said he did not know what the going rate would be for this type of lease, but thought this was researched prior to bringing the proposal to the Board. The motion was passed.

Capstone Development

Mr. Saad reported that the University also received a proposal from Capstone Development where they would like to partner with the University and build housing on campus, possibly using GOZONE funds.

Mr. Saad said the housing situation on campus has already had an effect on recruiting of students, i.e. UWA still has the old

style traditional dorms which need to be updated and most incoming students prefer to have the apartment-style units. Mr. Saad stated that Mr. Noland reported the bond issues would be paid off in December 2007 on Spieth and Selden dormitories.

Mr. Saad entertained a motion to move forward to consider the Capstone proposal and, if necessary, meet with other professional service groups that may be interested in building apartments. Mr. Bunn asked if Capstone would be going under the law that if they build the facility, they would take the accelerated depreciation. Mr. Saad said they would, and Mr. Bunn indicated he thought the law stated these funds would not be available after July 31 or August 31, 2006.

Mr. Saad said the Capstone representative told the Committee that the facility would have to be completed by December 31, 2008. Mr. Bunn said he thought some type of agreement must be reached prior to July 31, 2006, if this route is selected. He also said this might not apply to public institutions, but recommended that the University look into this matter right away. Mr. Saad said the University may have to get a proposal from two or more professional service groups.

Dr. Holland said the University would contract with the professional service company, lease the property to the company, and the company would then build the facility.

Mr. Saad asked again for the approval of the Board to move forward on the proposal from Capstone. After a contractor has been selected, the matter would be presented to the University Facilities Committee, according to Mr. Saad. Mr. Bunn made a motion to allow the University administration to move forward with the selection of a professional service company to

construct apartments. Dr. Umphrey seconded the motion, and the motion was approved.

Riley Hospital Proposal

Mr. Saad reported that Riley Hospital would like to lease five acres on the north end of campus, adjacent to the Rush Medical Clinic. He said Riley's would like to have a medical facility on the site, and the City of Livingston would build it. Riley's would also like an option to buy on another five acres next to the site within the next five years; Mr. Saad said he was not for this option, but instead would agree to a first-refusal offer within the five-year period. Riley's would have a physician and two nurse practitioners on duty at the facility ten hours a day during the week and five hours on Saturday. Mr. Saad said they would also be open any time UWA has a University scheduled athletic event. He said what is requested at this point is a lease to the City of Livingston for the five acres, with the price to be determined in the near future. He suggested that Dr. Holland and Mr. Noland decide the cost for such a lease and come back to the Board for approval at a later meeting.

Mr. Saad said the City predicted the facility could be open within nine months. Mrs. Lovett moved to negotiate with the City of Livingston a lease on five acres, with the price to be determined and brought back to the Board for final approval. Dr. Umphrey seconded the motion.

Mr. Spree said he thought the University was currently under a contract with Dr. Simpkins, and Dr. Holland said this is true. He added, however, that the University needs to obtain proposals from different medical services for the best student services and costs. The motion passed.

B. Student Life Committee

Mr. Saad said Mrs. Lena Hardaway was not at the meeting today, and requested Mr. Danny Buckalew to give the report.

Mr. Buckalew said the University awarded more scholarships during the last year than in the past, which increased the quality of students. He indicated that recruitment is up about 8% from last year at this point, the Admissions staff and the Marketing staff did a good job in getting the University's name out to the public, and the counselor workshops were very successful. He said the intramural activities have been very popular with the students.

Mr. Buckalew said that security in housing and the parking areas have been improved by the installation of security lighting and cameras. He also announced the hiring of Mr. Don Rainer as the new Director of Financial Aid. He said the Admissions Office projects another record enrollment this Fall Semester.

C. Finance Committee

Chairman Tom Umphrey reported that the Committee met this morning, with all members attending, including himself, Dr. Nolen, and Mr. Northcutt. He stated that an update on legislative funding was provided by Mr. Spruiell and that Mr. Noland presented the proposed budget for the 2006-2007 year.

He said UWA received about 22% more appropriation for this coming year than in the past, indicating this is the largest increase in almost 40 years. Each trustee was provided a copy of the proposed budget, which is being recommended for approval by the Board. Mrs. Lovett seconded the motion. Mr. Saad said he was very happy to report that there will not be a tuition increase this year. The motion was approved.

VII. PROVOST'S REPORT

A. *Online Program Self-Study*

Mr. Saad said Dr. David Taylor, Provost, would present the report for his area and that a handout was already distributed to each Board member.

Dr. Taylor said he would report on several informational items and one action item. He began with the Online Program Self-Study, naming the members of each committee, and gave the basis for the study. Dr. Taylor noted that when the online program began in 2002, there were 13 students enrolled. The current term has 1,223 students enrolled. He said the program has been explosive in growth, which has left the University trying to keep up with the numbers. Dr. Taylor noted this is not unique to UWA, but is the same nationwide. He said another off-shoot of the rapid growth has been that the accrediting agencies have been caught unprepared on how to deal with assessment of the program. The Southern Association has issued a document called *The Best Practices for Electronic Offered Programs*. Dr. Taylor said the University decided, in order to make this program as strong as possible and have as much integrity as it could have, to voluntarily launch an in-house self-study of the University's online program patterned after the SACS document.

Dr. Taylor said the self-study was begun in 2006, under the chairmanship of Dr. Neil Snider. He said all facets of the University community have been involved in this process.

Dr. Taylor said Dr. Snider reports that the self-study is on schedule; the committees have completed the first draft of their reports; and they are now in the process of revising their reports. He said the final report will be due on August 4, 2006,

and that it would be looked at very carefully before the results are presented to the Board. Dr. Taylor thanked Dr. Snider for his leadership in this self-study and for the work done by the members and committee chairs.

B. *Status of Datatel Installation*

Dr. Taylor reported that the University currently has in place the proprietary system, which means that it is one of a kind. He said it is a system that is badly outdated and that several years ago, a decision was made for the University to look at obtaining a new system. Dr. Taylor said that Datatel was chosen after many months of study. He said a contract was signed with Datatel in November 2004, and the overall cost of this hardware/software installation is about \$1.2 million.

Dr. Taylor said a "go live" date of October 2005 was anticipated; however, due to some glitches in the software, this date was postponed to September 2006. On the second page of the newsletter provided to the Trustees by the Information Systems' office, he noted that the key dates for the installation are outlined. Dr. Taylor said this system would provide the University with strictly a one-entry system.

Dr. Taylor thanked all of the members of the Leadership Team and other staff who have worked diligently throughout this installation process.

C. *Status of Faculty Searches*

Dr. Taylor reported on the status of the faculty searches for the upcoming 2006 academic year. He said there were 22 searches, 15 have been filled, and some of the others are in process of being filled. He noted that some of these are replacements, some are new positions, and some are position upgrades.

D. Minority Recruitment and Faculty Diversity

Dr. Taylor said that he was very pleased to report that, of the 15 that have been hired so far, the University has hired people with impressive credentials, and he is also very pleased with the diversity of the new faculty. He said three of the new hires are African-American and three more are other nationals. Dr. Taylor said the University has taken special initiative to enhance the diversity of the faculty and staff on campus.

E. Consent Decree/Knight Case

Dr. Taylor said the Knight Consent Decree has now lapsed and the attorneys for the Plaintiffs are negotiating settlements with all of the defendant institutions in the State of Alabama. He said UWA has spoken, through its attorney, with the attorney for the Plaintiffs, who has offered the University a settlement agreement. Dr. Taylor said he did not know if a settlement has been offered to any other institution at this point, or not. He said he spoke with a couple of his colleagues and was told they had not reached a settlement in this case.

Dr. Taylor said he is very pleased that UWA has come this far and he believes the Plaintiffs in this case are pleased with the dramatic progress being made at this institution.

Dr. Taylor synthesized the terms of the settlement agreement between the Knight-Sims Plaintiffs and the University of West Alabama, as follows:

First, a strategic diversity plan must be developed and implemented to guide UWA over the next five years, and Dr. Taylor said this plan must be endorsed by the UWA Board of Trustees.

Second, the terms call for the evaluation of administrators as to how they have been accountable on the basis of their achievement of the objectives in the diversity plan.

Third, the settlement calls for and requires that African-Americans have representation on all search committees for presidents and upper-level administrative positions and, to the extent practicable, on all search committees for faculty.

Fourth, it would require the University to send a representative to a State-wide meeting each year, at which retention and recruitment are discussed.

Finally, it would require the University to post annually, on its website, certain data that is relevant to the goals of the strategic plan. Dr. Taylor said this is already being done and published in the University's *Fact Book*.

Dr. Taylor said he and Dr. Holland have discussed this settlement with the University attorney and are very comfortable with the terms of the settlement. He stated the University plans to continue an assertive effort toward the recruiting and retaining of minority faculty and staff.

Dr. Taylor said the President is recommending this settlement be discussed and considered for approval by the Board. Mr. Saad asked for any discussion on the proposed settlement agreement in the Knight-Sims case, and added he would like to entertain a motion for approval by the Board. Dr. Umphrey moved to approve the settlement, as presented, and Mrs. Lovett seconded the motion. Question was asked if any monetary consideration was in the settlement, and Mr. Saad indicated there was not. The motion was approved.

VIII. UNIVERSITY PRESIDENT'S REPORT

A. *Projected Enrollment*

1. Summer 2006

Dr. Holland reported on the enrollment last year and the projected enrollment for the coming year. He said there was a record enrollment for Spring 2006, with an increase of 536 from last year. Dr. Holland thanked everyone who had a part in the recruiting and retention efforts and noted that retention is up tremendously.

Dr. Holland reported that the Summer enrollment is down a little; however, the figures on the report was as of June 2 and enrollment does not end until today. He said he is very confident that the Summer enrollment will be up from last year.

2. Fall 2006 Enrollment

Dr. Holland said he was happy to report that the projected Fall 2006 enrollment for first-time freshman and transfer students should be increased in the range of 420-435 students.

Dr. Holland noted that the on-campus enrollment for the undergraduate and graduate students in the Fall 2006 is projected to be increased by approximately 5% from last year. He also indicated the online enrollment projection is an increase of approximately 285 students. This would be a combined increase in enrollment of approximately 9% for the upcoming school year.

Mr. Northcutt asked how no increase in tuition would affect the recruiting of students this year. Dr. Holland replied that it certainly should help, in his opinion. He indicated that more housing would have to be provided, however, if more students are recruited because this is a limiting factor at this time.

B. Status Report on Fundraising

Dr. Holland asked Mr. John Crawford, Associate Vice President for Planning and Institutional Development, to present a report on the up-coming capital campaign. He noted that this is the plan that was approved at the Board Retreat in January.

Mr. Crawford referred to the timeline schedule for the capital campaign that was previously distributed to the Trustees. He said the Board authorized the University to enter into a partnership with the Jerry F. Smith Group, of Auburn, Alabama, to conduct a feasibility study for the purpose of determining the process for such a campaign.

At this time, Mr. Crawford said the Deans' Council, the President's Council, the Athletic Director, and department heads across campus are working on an internal "wish list." He said the needs must be looked at before they can move much further in any type of fund-raising approach.

Mr. Crawford said the feasibility study would take about three months to complete and a report of the findings by the Smith Group would be presented to the Board of Trustees. He said that a determination would then be made on a reasonable goal for the capital campaign. Mr. Crawford said that a joint meeting of the UWA Foundation Board and the Board of Trustees would be scheduled sometime in October 2006 to establish a goal and move forward with the campaign process.

C. Status Report on Department of Athletics, 2006-2006

Dr. Holland asked Mr. Dee Outlaw to present this report, and indicated the material was in the Trustees' binder, along with a resume for E. J. Brophy, the newly hired Director of Athletics. Dr. Holland announced that Mr. Brophy started on June 1. and would

have been here today, but was taking his comprehensive examination for his doctoral degree.

Mr. Outlaw said the Athletic Department is excited about E. J. Brophy being on board, adding that he wishes to work with the University and its Board to move the Athletic programs forward.

Mr. Outlaw reported the following:

Bobby Wallace was hired as the new football head coach;

Ron Arenz was hired as the new volleyball coach and Jason Reed as the assistant volleyball coach;

A fulltime coach, Don Medeiros, was hired for cross-country;

The men's basketball team finished 13-14 overall and the women's basketball overall record was 13-16;

The tennis men's team finished 7-9 and the women's team finished 3-9, and Mr. Outlaw commended Coach Rod Hartzog for an outstanding job, particularly in view of the fact that this was the first year for the program;

The baseball team finished 42-22 for the season, the second highest win total in school history and finished second in the Gulf South Conference playoffs;

The softball team finished 14-39 overall;

The rodeo women's team won first place in the Ozark region, while the men's team finished fourth;

Jason Hughes resigned as Sports Information Director and Steven Phelps was promoted to this position and Brian Howard was hired as an assistant.

Since the damage by Hurricane Katrina last year at the baseball complex, new lights have been installed and the new 11,000 square-foot indoor hitting facility is nearly completed. Also, a cross-country course near the Alfa Building and Lake LU is in the process of being built.

Mr. Outlaw said the athletic offices in Foust Hall are being totally renovated at this time and preliminary work has also begun on Tiger Stadium. The changes for the stadium will include a new scoreboard, hedges around the field, and water proofing of the Tiger Room located under the Pressbox.

Dr. Holland said that each member of the Board received a copy of reports from the Center for Economic Development and the Small Business Development Center.

Mr. Saad commended Mr. Ken Walker, Director of the SBDC, and encouraged him to keep up the good work. He also said it is up to the Board to provide the support to the University, in particular, he noted his concern that there was not a quorum at two of the Board Committee meetings this morning.

IX. ADJOURN

There was no other business, and Dr. Umphrey moved to adjourn the meeting at 11:50 a.m.

Respectfully submitted,

Lena Hardaway
Secretary

Earlene Lindsey
Assistant Secretary