

**THE STATE BOARD OF EDUCATION OF THE STATE OF ALABAMA
MINUTES OF THE MEETING HELD ON
THURSDAY, AUGUST 23, 2007, 9:37 AM
AS BOARD OF TRUSTEES
FOR THE POSTSECONDARY INSTITUTIONS UNDER ITS CONTROL**

The State Board of Education of the State of Alabama (also referred to herein as the Board) met in official session to consider postsecondary education matters beginning at 9:37 a.m. on Thursday, August 23, 2007, in the Auditorium, Gordon Persons Building, Montgomery, Alabama. The meeting was called in accordance with Section 16-3-7, *Code of Alabama* 1975.

**PRESIDING: MR. DAVID BYERS
VICE PRESIDENT**

The meeting was called to order by Mr. Byers. The Pledge of Allegiance followed the invocation by Mr. McKinney. On roll call, the following Board members were present:

Mrs. Ella Bell
Mrs. Stephanie Bell
Mr. David Byers
Dr. Mary Jane Caylor
Dr. Ethel Hall
Mr. Randy McKinney
Mrs. Betty Peters
Governor Bob Riley

Also present was Mr. Bradley Byrne, Chancellor of the Department of Postsecondary Education

Absent was Mrs. Sandra Ray

APPROVAL OF AGENDA

Mr. Byrne asked that the Board remove from the agenda item VIII.A.1. Shelton State Community College, Fiscal Agency Agreement, and add to the agenda items VII.A.11. Bishop State Community College, Additional Authorization on Renovation Project, and VIII.A.6. Beville State Community College, Resignation of President. On motion by Mrs. Stephanie Bell, second by Mrs. Ella Bell, the agenda was approved unanimously as amended.

APPROVED

MINUTES OF JULY 10, 2007 MEETING

On motion by Mrs. Stephanie Bell, second by Mrs. Ella Bell, the minutes of the July 10, 2007 meeting were approved unanimously as presented.

SECTION VI

PUBLIC HEARING

The following individuals registered to speak to the Board at the public hearing concerning policies 220.01: Elected State Officials: Employment Prohibited, and 609.04: Flexible Work Schedule.

Mary Bruce Ogles, Alabama Education Association
Senator Quinton Ross
Representative Blaine Galliher
Representative Betty Carol Graham
Representative Randy Hinshaw
Amy Marlowe, Alabama Education Association
Representative Mike Millican
Representative Terry Spicer
Representative Pebblin Warren
Councilman Richard Showers
Dr. Paul Hubbert, Alabama Education Association
Jennifer Adams, Alabama Education Association and Retired Teachers

Pam Segars Morris, Association of Realtors
Representative Thomas Jackson
Annette Griswold, Coffee County Republican Women
Virginia Howard, Alabama Federation of Republican Women
Wayne Teague, Retired Teachers Association

Issues addressed by these individuals were:

- Since changes were made to Policy 609.04 just prior to this meeting, the final version of this policy should lay on the table for 30 days.
- Legislators defended their performance in their jobs in the two-year system while serving in the legislature.
- A flexible work schedule works for many jobs.
- Voters knew they were in education when they were elected.
- Educators in state legislature and city councils help schools get more money.
- Policy 220.01 denies the right of educators to hold elected state office.
- Voters acted in good faith. Those who campaigned for office did so in good faith.
- The Constitution of Alabama does not give the State Board of Education the right to say whom a voter can and cannot vote for.
- Identify those who have done wrong. The problems could be solved by the Chancellor and presidents rather than pass a policy to prohibit all two-year college employees from holding elected office.
- Three individuals supported the Board's efforts to adopt these policies.

SECTION VII
(INSTRUCTIONAL AND STUDENT SERVICES, FISCAL,
AND RESEARCH AND INFORMATION)

ADOPTED

On motion by Mrs. Ella Bell, second by Mrs. Stephanie Bell, the Board approved unanimously the following eleven (11) items:

CENTRAL ALABAMA COMMUNITY COLLEGE
CONSTRUCTION PROJECT

The Board authorized Central Alabama Community College to construct an addition to the Betty Carol Graham Technology Center on the Alexander City Campus. Planning must be completed and construction contracts executed no later than May 23, 2008, or this authorization will expire. Fiscal consideration: \$302,000 – College Plant Fund (Unexpended)

JAMES H. FAULKNER STATE COMMUNITY COLLEGE
RENOVATION PROJECT (HVAC)

The Board authorized Faulkner State Community College to install an air conditioning system in the Sibert Gymnasium on the Bay Minette Campus. Planning must be completed and construction contracts executed no later than May 23, 2008, or this authorization will expire. Fiscal consideration: \$400,000 – College Plant Fund (Renewal and Replacement)

JEFFERSON STATE COMMUNITY COLLEGE
RENOVATION PROJECT (CHEMISTRY LAB)

The Board authorized Jefferson State Community College to renovate the science lab in Carson Hall on the Jefferson Campus. Planning must be completed and construction contracts executed no later than May 23, 2008, or this authorization will expire. Fiscal consideration: \$330,000 – College Plant Fund (Renewal and Replacement)

JEFFERSON STATE COMMUNITY COLLEGE
PURCHASE OF ADMINISTRATIVE AND INSTRUCTIONAL SOFTWARE

The Board authorized Jefferson State Community College to purchase administrative and instructional software. This purchase must be completed no later than February 23, 2008, or this authorization will expire. Fiscal consideration: \$223,000 – Current Unrestricted Fund

T. A. LAWSON STATE COMMUNITY COLLEGE
AUTHORIZATION TO ISSUE BONDS

The Board issued its general obligation bonds and authorized Lawson State Community College to re-finance its lease obligation for the student housing facility on the Birmingham Campus. The Board further authorized the Chancellor to cause to be prepared the appropriate Authorizing Resolution to be presented to the Board for its action. Fiscal consideration: \$4,800,000 – estimated bond issue; \$372,000 – estimated debt service

SHELTON STATE COMMUNITY COLLEGE
PURCHASE OF INSTRUCTIONAL COMPUTERS AND FURNITURE

The Board authorized Shelton State Community College to purchase instructional computers and furniture. This purchase must be completed no later than February 23, 2008, or this authorization will expire. Fiscal consideration: \$250,000 (\$58,125 – Current Restricted Fund [Title III]; \$7,725 – Current Unrestricted Fund; \$165,325 – Current Unrestricted Fund [Technology Fees]; and \$18,825 – Adult Education Focused Industry Training)

GEORGE C. WALLACE COMMUNITY COLLEGE – DOTHAN
PURCHASE OF INSTRUCTIONAL TECHNOLOGY EQUIPMENT

The Board authorized Wallace Community College – Dothan to purchase instructional technology equipment. This purchase must be completed no later than February 23, 2008, or this authorization will expire. Fiscal consideration: \$165,539 (\$70,576 – Current Restricted Fund [Title III]; and \$94,963 – Current Restricted Fund [U.S. Department of Labor, Community-Based Job Training Grant])

THE ALABAMA COLLEGE SYSTEM
VERIFICATION OF THE EDUCATION FACILITIES EXCELLENCE ACT OF 2007
BOND ISSUE ALLOCATIONS

The Board verified allocation of the Education Facilities Excellence Act of 2007 Bond Issue for the community and technical colleges and Athens State University as outlined on the attached schedule. Fiscal consideration: \$48,207,500 – Education Facilities Excellence Act of 2007 Bond Issue

DEPARTMENT OF POSTSECONDARY EDUCATION
2007-2008 BUDGET

The Board approved the 2007-2008 budget for the Department of Postsecondary Education and limit expenditures to available revenues. Fiscal consideration: The total amount of the 2007-2008 budget is \$37,882.558 based on state appropriations, estimated federal grants and contracts, and estimated fee collections.

THE ALABAMA COLLEGE SYSTEM
2007-2008 BUDGETS

The Board approved the 2007-2008 budgets as presented by the Chancellor for the community and technical colleges, Alabama Industrial Development Training Institute (AIDT), Athens State University, Skills Training Consortia, Community Intensive Treatment for Youth (CITY) Program, Alabama Technology Network and Marion Military Institute (MMI). After becoming part of the Alabama College System in June 2006, MMI's budget is prepared separately to correspond to an individual line-item

appropriation in the Education Trust Fund budget act. Fiscal consideration: \$975,907,603 (\$761,873,183 – Current Fund – Community and Technical Colleges; \$64,597,480 – Plant Fund – Community and Technical Colleges; \$39,852,214 – Current Fund – Athens State University; \$8,985,000 – Plant Fund – Athens State University; \$44,545,048 – Current Fund – Alabama Industrial Development Training Institute; \$22,494,044 – Current Fund – Skills Training Consortia; \$7,126,347 – Current Fund – CITY Program; \$11,305,800 – Current Fund – Alabama Technology Network; \$15,004,266 – Current Fund – Marion Military Institute; \$124,221 – Plant Fund – Marion Military Institute)

BISHOP STATE COMMUNITY COLLEGE
ADDITIONAL AUTHORIZATION ON RENOVATION PROJECT

The Board granted Bishop State Community College additional authorization on a renovation project previously approved on December 14, 2006 and October 27, 2005. Fiscal consideration: \$803,000 – Current Restricted Fund

SECTION VIII
(EXECUTIVE AND LEGAL)

ADOPTED

ASSISTANCE FOR DISPLACED WORKERS

On motion by Dr. Hall, second by Mrs. Stephanie Bell, the Board adopted unanimously the following resolution:

WHEREAS, the Alabama State Board of Education has demonstrated its commitment to respond to the economic development needs of the State of Alabama; and

WHEREAS, The Alabama College System seeks to provide accessible quality educational opportunities, promote economic growth, and enhance the quality of life for the people of Alabama; and

WHEREAS, community and technical colleges have provided direct services to assist displaced workers in securing skills necessary to re-enter the workforce; and

WHEREAS, from time to time industries close or lay off capable workers with specialized skills that cannot be readily transferred into the current job market, resulting in unemployment, dislocation, and economic hardship for affected employees and their families; and

WHEREAS, there is a compelling need to respond rapidly to meet the re-training needs of these displaced workers, the Alabama State Board of Education will sanction flexibility for any Alabama College System institutions serving the affected population, to meet the skills-emphasis training needs of these workers; and

WHEREAS, the Chancellor of the Alabama Department of Postsecondary Education recommends this course of action to the Alabama State Board of Education:

NOW, THEREFORE, BE IT RESOLVED, That the Alabama State Board of Education hereby authorizes a tuition waiver of 50 percent for displaced workers of industries determined eligible by the Department of Postsecondary Education who will become unemployed as a result of an industry closing or layoff and who are in need of re-training; and

THEREFORE, BE IT FURTHER RESOLVED, That this tuition waiver is hereby restricted to eligible displaced workers for a period of two consecutive years following their displacement; who are not eligible to receive funding under the Workforce Investment Act of 1998 (WIA) or other similar and/or related state and/or federal workforce assistance programs; and for whom substantial tuition assistance cannot be secured from other sources; and

THEREFORE, BE IT FURTHER RESOLVED, That the Chancellor of the Alabama Department of Postsecondary Education is hereby authorized to enforce the provisions of this Resolution, in compliance with appropriate court orders and constitutional privilege.

THE ALABAMA COLLEGE SYSTEM
REVISION OF THE 2007-08 SALARY SCHEDULES

On motion by Mrs. Stephanie Bell, second by Mrs. Peters, and with Mrs. Ella Bell opposing, the Board approved the revised salary schedules for the 2007-08 year. Fiscal consideration: The revisions result in immaterial differences when compared to the schedules adopted previously.

THE ALABAMA COLLEGE SYSTEM
POLICY 110.01: ESTABLISHMENT OF THE DIVISION OF INTERNAL AUDIT

On motion by Mrs. Stephanie Bell, second by Mrs. Peters, the Board voted unanimously to establish the Division of Internal Audit, provide for the appointment of its Director by the Board upon recommendation of the Chancellor, and adopt its Charter. Fiscal consideration: The Division of Internal Audit will operate within the budget of the Department. Projected division budget for the 2007-08 fiscal year: \$363,393.

THE ALABAMA COLLEGE SYSTEM
POLICY 220.01: ELECTED STATE OFFICIALS: EMPLOYMENT PROHIBITED

Since this proposed policy has had exposure for several months and has been reviewed by the Postsecondary Advisory Committee on Policy Matters, Mr. Byers recommended that the Board suspend the rule for laying this policy on the table for 30 days. On motion by Mrs. Stephanie Bell, second by Mrs. Peters, and with Mrs. Ella Bell opposing, motion passed to suspend the rule. On motion by Mrs. Stephanie Bell, second by Mr. McKinney, and with Mrs. Ella Bell opposing, the Board adopted proposed Policy 220.01: Elected State Officials: Employment Prohibited. Fiscal consideration: None

BEVILL STATE COMMUNITY COLLEGE
RESIGNATION OF PRESIDENT

On motion by Dr. Caylor, second by Mrs. Stephanie Bell, and with Mrs. Ella Bell abstaining, the Board accepted the resignation of Dr. Harold Wade as President of Beville State Community College effective August 31, 2007. Fiscal consideration: None

SECTION IX
(SUBSIDIARY ACTIONS)

TABLED

THE ALABAMA COLLEGE SYSTEM
REVISION OF POLICY 602.01: APPOINTMENT AND ASSIGNMENT OF PERSONNEL

On motion by Dr. Caylor, second by Mrs. Stephanie Bell, the board voted unanimously to table for 30 days the item to revise Policy 602.01: Appointment and Assignment of Personnel by including the language 'The Chancellor has the authority to reverse any appointment or assignment of personnel determined to be contrary to any statute, and such other rules or regulations as may have been adopted by the State Board of Education' and 'Transfer requests will apply only to positions for lateral moves and will conform to the Alabama College System Uniform Guidelines.' This item would further authorize the revised policy take effect immediately and declare null and void and supersede any other Board policy on Appointment and Assignment of Personnel. Fiscal consideration: None

ADOPTED

THE ALABAMA COLLEGE SYSTEM
POLICY 609.04: FLEXIBLE WORK SCHEDULE

This item having been tabled at a previous meeting, Mr. Byers noted that the Board must vote to remove it from the table for consideration. On motion by Mrs. Stephanie Bell, second by Mrs. Peters, and with

Mrs. Ella Bell abstaining, the Board voted affirmatively to remove the item from the table. On motion by Dr. Caylor, second by Mrs. Stephanie Bell, and with Mrs. Ella Bell opposing and Dr. Hall abstaining, the Board adopted proposed Policy 609.04: Flexible Work Schedule. Fiscal consideration: None

SECTION X
(CHANCELLOR'S REPORT)

Mr. Byrne introduced three new employees in the Department: Ms. Anita Archie, Director of Governmental Relations, beginning October 1; LaTonya Dupree, Human Resources Specialist; and Glenda Messina, Private School Licensure Specialist. He announced the new location and the change in time for the next work session on September 13. He anticipates that he and the Governor will soon announce a new Workforce Development System Plan that will put the two-year college system in the position to be the primary vehicle for workforce development in the state of Alabama.

DATE AND LOCATION OF NEXT MEETINGS

The next Board work session for postsecondary matters will be held at 9:30 a.m. on September 13, 2007, in the Auditorium, 7th floor, Alabama Center for Commerce, Montgomery, Alabama. The next Board meeting for postsecondary matters will be held on September 27, 2007, at Northwest-Shoals Community College, Muscle Shoals, Alabama.

ADJOURNMENT

On motion by Mrs. Ella Bell, second by Dr. Hall, the postsecondary Board meeting was adjourned unanimously at 11:32 a.m.

Vice President

Chancellor