



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES BOARD AGENDA JANUARY 11, 2013

1:30 pm Call to Order

1:35 pm Public Comment

1:45 pm Roll Call

1:50 pm Approval of Agenda

1:55 pm Approval of Minutes (October 12, 2012)

2:00 pm New Business/Action Items

- Approval of President's Job Description
- 2013 meeting dates
- Presidential authority to designate procedures from University policies
- Conflicts of interest notification and disclosure for Board members
- Policy modification to recruitment and hiring policy
- Resolution to authorize purchases
- Policy modification to purchase and renovation policy

3:00 pm President's Report

3:30 pm Adjournment



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Approval of President's Job Description

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the attached job description for the President of the University.

FISCAL CONSIDERATION

None.

RATIONALE

This job description will provide clear and concise duties and responsibilities and expectations of the President of the University.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date

JOB DESCRIPTION: THE PRESIDENT

The President of Athens State University serves as Chief Executive Officer of the University and is to provide leadership in developing and articulating a shared strategic vision for the University, providing the capability to achieve the vision, and building an institutional culture based on the values of the University. The President is accountable to the duly appointed and autonomous Board of Trustees of Athens State University. The President is responsible for ensuring that the policies of the Board are carried out at the University. The President provides the leadership coordination, communication and discipline necessary to integrate the functional units of the institution. The President is responsible for the stewardship of all University assets and resources. The President and Provost, working as a single focused unit, are responsible for establishing an institutional culture that reflects the core values of the University and the vision of Athens State University as the premier upper division university of the state of Alabama.

The President shall perform all duties required by law, by the contractual agreement with the Board of Trustees and which by custom and practice are performed by a State of Alabama public university president including, but not limited to the following:

1. Ensure that the best interests of the University's students are well served in all matters and decisions.
2. Ensure that the University conducts its affairs in a manner that is consistent with professional best practices and the best interests of the citizens of the state of Alabama.
3. Establish and maintain a close and supportive working relationship with the Board of Trustees and to provide the necessary support for the work of the Board.
4. Regularly and effectively communicate with the Trustees to provide information concerning issues and matters of importance to the Trustees.
5. Regularly prepare and submit to the Trustees action item proposals for new programs, new policies, new revenue streams, new capital projects and other such items that are consistent with the tactical best interests of the University.
6. Establish and prioritize the strategic vision, goals, and capability improvements for the long-term future of the University and develop strategies to achieve those goals.
7. Recommend and implement regulations, policies, rules and procedures useful for the welfare of the University.
8. Project a coherent, consistent public image of the University based on the established strategic direction and capabilities.
9. Provide institutional, faculty and educational leadership.
10. Engage in fund raising and development activities along with involvement in public, government and alumni relations.
11. Establish and maintain institutional governance systems and the management work system of the University.
12. Analyze the market and external environment and establish systems for addressing changing market needs.
13. Formulate appropriate policies for the effective operation of the University.
14. Provide the leadership of the established planning process, including strategic and annual plan development, monitoring, and evaluation with the policies, procedures, and parameters established by the Board of Trustees and the President.
15. Establish and maintain strategic relationships and partnerships with federal, state and local elected officials, government agencies, public and private education entities, the business and industrial sector and non-profit service agencies.

16. Ensure financial management, including fund development, budget development and oversight, and risk management.
17. Select, develop and review a senior administrative leadership team to assist in building a positive university culture to ensure the mission and institutional goals are achieved.
18. In concert with, or when absent from campus through the Provost, the President is responsible for the supervision of the day-to-day operations of the functional units of the University, including Academic Affairs, Financial Affairs, Enrollment and Student Services, Information Technology and University Advancement.
19. Report data and information in a timely and accurate manner to the Alabama Commission on Higher Education (ACHE).
20. Ensures the institution follows applicable policies of the State Department of Education; ACHE policies for the development and implementation of academic programs; policies related to institutional accreditation (SACS) and program specific accreditation (NCATE, ACBSP).
21. Provide leadership for maintaining quality educational programs to ensure the University's academic and support programs serve the students well.
22. Coordinate Title VI activities in order to create an open and welcoming environment for diversity that will lead to greater diversity among students, faculty and staff.
23. Perform such other duties commensurate with his position as President that the Board of Trustees may assign.



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: 2013 Board of Trustee Meeting Dates

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the following meeting dates for the 2013 Board meetings.

April 18, 19, 2013
July 18, 19, 2013
October 17, 18, 2013

FISCAL CONSIDERATION

Travel and meals for Board members.

RATIONALE

To confirm meeting dates for 2013.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Presidential Authority to designate procedures from University Policies

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the University President's authority to designate procedures from University policies and to develop and implement procedures, rules and guidelines that are in line with Board of Trustee and University Policies. (i.e., Reimbursement for Travel)

FISCAL CONSIDERATION

None.

RATIONALE

This approval will provide the ability for the President of the University to delineate policies from procedures and allow for a more efficient management of the day-to-day operations of the University. See attached definitions for policy hierarchy.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date

Policy Hierarchy Definitions: Recommendations

Board of Trustee Policies:

Also known as Board Policies or Trustee Policies. Policies and any associated procedures governing the actions, procedures, and processes of the University Board of Trustees or of the individual Board members. These policies and any associated procedures apply only to the Board or Board members and do not apply to any University areas, offices, or personnel.

New Trustee Policies and changes to existing Trustee Policies must be approved by the Board of Trustees according to the rules of procedure of the Board.

University Policies:

Policies expressing the comprehensive or overriding expectations and/or requirements of the Board of Trustees, as the executive body governing the University, related to achieving the mission of the University or to the duties of the President.

New University Policies and changes to existing University Policies must be approved by the Board of Trustees according to the rules of procedure of the Board.

Operating Policies:

Policies defining the specific expectations or requirements of the President for each administrator, area, or function of the University, in accordance with the comprehensive requirements defined in the University Policies and published according to approved formats. Operating Policies may include associated comprehensive procedures when appropriate, particularly when the procedures apply to all members of the University community or to large groups (e.g., all faculty members, all staff members) within the University.

New Operating Policies must be approved by the President, and changes to existing Operating Policies must be approved by the President or the President's designee. The President's designee given the responsibility of approving changes to existing Operating Policies must be specified in the initial approval of any new Operating Policies.

Operating Procedures:

Procedures and/or processes associated with a particular Operating Policy that are specific to the day-to-day operations of a specific area, office, or function of the University in order to ensure compliance with the associated Operating Policy.

New Operating Procedures must be approved by the Vice President overseeing the area, office, or function, and changes to existing Operating Procedures must be approved by the appropriate Vice President or the Vice President's designee. The Vice President's designee given the responsibility for approving changes to existing Operating Procedures must be specified in the initial approval of any new Operating Procedures.

Operating Procedures that apply to all members of the University community or to large groups with the University (e.g., all faculty members, all staff members) should be published according to approved formats.

Operating Procedures specific to the day-to-day responsibilities of an individual or group of individuals in the performance of their duties will be maintained in internal office procedure manuals and will normally not be widely distributed or published. Distribution or publication of such office procedure manuals will be at the discretion of the appropriate Vice President and the Vice President's designee.



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Conflict of Interest Notification and Disclosure for members of the Athens State University Board of Trustees

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the procedures for conflict of interest notification and disclosure for members of the Athens State University Board of Trustees.

FISCAL CONSIDERATION

None.

RATIONALE

To provide transparency for disclosure of conflict of interest and disclosure for members of the Athens State University Board of Trustees.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date

**Athens State University Board of Trustees
Conflict of Interest Disclosure Form**

In accordance with Article II, Section III, item b. of the Athens State University By-Laws, trustees shall avoid conflicts of interest with the University. Specifically, Trustees should not:

Knowingly participate in discussions or decision-making regarding any item in which the Trustee or his/her family has a personal financial interest.

Advocate or attempt to influence the employment of any of their family members.

Condition any actual or potential business relationship with the Board, the University, or any of its related foundations or associations on a charitable gift or contribution.

Seek or accept personal gifts or special favors from individuals or entities that provide, or seek to provide, services or supplies to the Board, the University, or any of its related foundations or associations, except as those allowed by law.

Use the authority, title, influence, or prestige of his or her position to solicit or influence the award of business to obtain a private financial, social, or political benefit, special privilege, or unique advantage for the Trustee or his family.

Engage in any other activity that a reasonable person would expect to impair the independent judgment of a Trustee in the performance of his or her public duties.

The listing set forth above is not exclusive, and Trustees are expected to discern situations in which their conduct might create a conflict of interest in other respects or contexts. In the event of any potential or actual conflict of interest, such Trustee shall fully and publicly disclose said interest and shall not participate in the discussion, debate, or voting associated with the matter. Disclosure of any situation or circumstances in doubt should be made in order to protect the Trustee and the University. Any such disclosure shall be duly noted in the minutes of the meeting of the Board of Trustees, or its committee at which such disclosure shall be made. The Board of Trustees or any duly charged committee thereof, has the responsibility for ensuring the disclosures required by the subsection, and for enforcing the required non-participation.

Name

Signature

Date

Athens State University
Board of Trustees Responsibilities

1. Contribute to efforts to sustain University mission, integrity, traditions, and value. Advance initiatives that promote the University and will influence others to be a part of its mission and help realize goals.
2. Recruit, approve, support, and evaluate the University president.
3. Participate in Board committee meetings by preparing and participating effectively and with mutual respect.
4. Protect fiscal integrity, approve the University budget, monitor resources and productivity, and participate in fundraising through personal yearly contributions and advocacy.
5. Participate when feasible in campus activities and act as an engaged member of the campus community.
6. Conduct ourselves in word and action – whether a voting or non-voting trustee – from the perspective that we serve individually and collectively, the whole institution rather than any one part of it, or any individual or group within it or outside of it, or in any partisan or political cause.
7. Be thoughtful in how we represent the University through our actions and words. If apparent grievances or complaints have merit, the President and/or the Board Chair shall be made aware.
8. Support principles of equal opportunity and nondiscrimination for all students, faculty, and staff as well as the University policy statement on diversity.
9. Comply with University conflict of interest policy, including the disclosure requirements.
10. Refrain from asking the President or other University executive or academic officer or staff for special favors on behalf of oneself, family, or friend.
11. Refrain from communicating either orally or in writing with any member of the administration (other than the President), staff, faculty, or student of Athens State University in an individual capacity in language or in a fashion intended to conceal or obstruct directions from the Board of Trustees.
12. Strictly maintain confidentiality of the Board’s executive sessions, especially, but not only with respect to sensitive personnel matters.
13. Assist the Board President with strategic direction of the University. Trustees should give advice and share expertise freely, but should also be willing to accept the fact that not all such views will necessarily be adopted.
14. Participate as requested by the Trustee Committee in a self-assessment survey designed to help the committee review our trustee services.



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Policy Modification of Recruitment
and Hiring Policy

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the attached modification of the Recruitment and Hiring Policy of Athens State University.

FISCAL CONSIDERATION

None.

RATIONALE

The revised policy will help ensure that the University maintains well defined recruitment and hiring procedures that adhere to State and Federal laws. These procedures will promote the practice of hiring qualified faculty and staff and will ensure equity, fairness and attention to affirmative action.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date

ATHENS STATE UNIVERSITY POLICY

POLICY NAME: Hiring Practices and Procedures

Athens State University has well defined recruitment and hiring guidelines and procedures that adhere to State and Federal laws and regulations. These procedures will ensure that qualified faculty and staff are hired and ensure equity, fairness and attention to affirmative action.

The President of the University shall be responsible for ensuring that these procedures are developed, implemented and monitored.

Alabama State Board of Education Policy

POLICY NAME: **602.02: Hiring Practices and Procedures**

EFFECTIVE: 05-25-06

SUPERSEDES: 602.02 issued 03-24-05; 01-22-04; 12-08-94

SOURCE: State Board of Education Resolution; *Code of Alabama* 16-60-111.4 and
16-60-111.7

CROSS REFERENCE: Policy 203.02 and 204-01

Vacancies in presidential, full-time faculty, and other full-time administrative and supervisory positions, regardless of whether the position is shown on Salary Schedules A, B, C, or D, shall be filled according to the practices and procedures set out in The Alabama College System Uniform Guidelines.



ATHENS STATE UNIVERSITY BOARD OF TRUSTEES

RECOMMENDATION FOR ACTION

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Adopt Resolution for Purchases of Real Property

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees adopt the attached resolution for purchases of real property.

FISCAL CONSIDERATION

None.

RATIONALE

Pursuant to Legislative Act #2012-497, "the Board shall have the exclusive authority over and jurisdiction of land, buildings, and other capital improvements now existing on or hereinafter provided for such campus. No contract for capital improvements, alterations, remodeling, and changing of capital improvements shall be made without the authorization and approval of the board, and which approval shall be granted by appropriate resolutions of the body. Any contract, agreement, or other act relating to capital improvements, except for maintenance, repairs, and maintaining existing facilities, shall be void and of no effect unless authorized by resolutions of the board."

Adopting the resolution will authorize the President to make real property purchases, not to exceed \$350,000 in aggregate in a fiscal year, without additional Board approval so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities. This authorization would allow the University to act on real property purchases in a more expedient manner. The resolution would also allow the President to execute contracts for capital improvements, alterations, remodeling and changing of capital improvements limited to \$500,000 in aggregate during a fiscal year without additional Board approval so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities.

Chair *pro tempore*

Date

Vice Chair *pro tempore*

Date

President of Athens State University

Date

RESOLUTION

RESOLUTION TO AUTHORIZE THE PRESIDENT OF ATHENS STATE UNIVERSITY TO EXECUTE LIMITED PURCHASES OF REAL PROPERTY AND TO APPROVE CONTRACTS FOR CAPITAL IMPROVEMENTS, ALTERATIONS, REMODELING AND CHANGING OF CAPITAL IMPROVEMENTS.

WHEREAS, as established by Alabama Act No. 2012-497, now codified at § 47A-1, and those following of the Code of Alabama, 1975, as amended, Athens State University (“the University”) is governed by its Board of Trustees (“the Board”); and,

WHEREAS, the Board has all rights to promote the University and to hold and lease, sale, or dispose of any of the University’s property, real or personal, or any estate or interest therein, as the Board may deem best for the purposes of the University; and,

WHEREAS, the President of the University, with the approval of the Board, may execute any lease, deed, or other instrument of conveyance on behalf of the Board and University, without additional approval; and,

WHEREAS, the Board has exclusive authority over and jurisdiction of land, buildings, and other capital improvements now existing on or hereinafter provided for the University’s campus; and,

WHEREAS, no contract for capital improvements, alterations, remodeling, and changing of capital improvements shall be made without the authorization and approval of the Board, which approval shall be granted by appropriate resolution of the Board, with any contract, agreement, or other act relating to any such capital improvements, except for maintenance and repairs to existing

facilities, being void and of no effect unless so authorized by appropriate resolution of the Board;
and,

WHEREAS, the Board, in its duly noticed and scheduled meeting on the eleventh day of January, 2013, upon hearing from the President of the University at said meeting, determined that it would be in the best interests and purposes of the University for the President of the University to have limited authority to solicit, entertain, negotiate, execute, and/or bind the University to certain transactions concerning the acquisition of real property by the University and capital improvements, alterations, remodeling, and changing of capital improvements,

WHEREAS, the Board, determined that the President's authority to complete the aforementioned transactions should be limited to expending no more than **\$350,000 for real property purchases in the aggregate for any given fiscal year, so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities.**

Contracts for capital improvements, alterations, remodeling and changing of capital improvements should be **limited to \$500,000 in the aggregate for any given fiscal year, so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities.** **AND,**

WHEREAS, upon motion having been duly made at said meeting by _____
[moving Board Member], and seconded by _____ **[seconding Board Member]**, for the Board to resolve to grant the President of the University such authority as determined by the Board to be in the best interests and purposes of the University, with discussion had thereon and a vote having been taken, upon which vote said motion carried by a ___ to ___ vote;

DATE OF BOARD MEETING: January 11, 2013

ACTION ITEM TITLE: Policy Modification to Purchase and Renovation Policy

RECOMMENDATION

It is recommended that the Athens State University Board of Trustees approve the attached modification of the Purchase and Renovation Policy of Athens State University.

FISCAL CONSIDERATION

None.

RATIONALE

The revised policy would allow the President to act on securing real property when transactions need to be done in a timely manner. The policy gives the President the authority to contract, without delay, for smaller renovation, remodeling and capital improvement projects.

Chair *pro tempore* Date

Vice Chair *pro tempore* Date

President of Athens State University Date

ATHENS STATE UNIVERSITY POLICY

POLICY NAME:

Real Property: Purchase, Sale, Construction

1. Any type of construction or renovation of campus facilities estimated to exceed \$500,000 shall be submitted to the Board of Trustees for approval. By resolution, the Board of Trustees has given the President the authority to execute contracts for capital improvements, alterations, remodeling and changing of capital improvements not to exceed \$500,000 in the aggregate for any fiscal year, so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities.
2. The President of the University shall be authorized to approve project cumulative change order increases not to exceed ten (10) percent of the Board-approved project amount. The Vice-President for Financial Affairs will provide facilities project status report to the Board of Trustees at regular scheduled meetings and/or as requested by the Chair pro tempore.
3. Any sale of any building and/or land must be approved by the Board of Trustees and must be in accordance with State law. All land and building sale transactions less than \$1,000,000 shall require one (1) appraisal by a qualified MAI Real Estate appraiser. For land and building sale transactions whose estimated value is \$1,000,000 or greater, two (2) MAI appraisals shall be required.
4. Any purchase of land and/or building exceeding \$350,000 in aggregate during a fiscal year shall be approved by the Board of Trustees. By resolution, the Board of Trustees has given the President the authority to execute real property transactions not to exceed \$350,000 in the aggregate for any fiscal year, so long as sufficient budgetary resources exist and the proposed expenditure is consistent with the University's best interests and strategic priorities. All land and building purchase transactions less than \$1,000,000 shall require one (1) appraisal by a qualified MAI Real Estate appraiser. For land and building purchase transactions whose estimated value is \$1,000,000 or greater, two (2) MAI appraisals shall be required.

Alabama State Board of Education Policy

POLICY NAME:	501.01: Construction, Renovation, and Alteration
EFFECTIVE:	05-22-08
SUPERSEDES:	501.01 issued 03-24-05; 02-24-05; 06-26-03; 12-08-94; 1963
SOURCE:	Various Acts of the Alabama Legislature
CROSS REFERENCE:	518.01

1. Any type of construction or renovation of campus facilities estimated to exceed \$250,000 shall be submitted to the State Board of Education for approval. Approval must be given to the System Institution in writing prior to commencement of any work. The Chancellor shall prescribe the format for submittal by System institutions.
2. The Chancellor shall be authorized to approve project cumulative change order increases not to exceed ten (10) percent of the Board-approved project amount. The Chancellor will provide a quarterly facilities project status report to the State Board of Education.
3. Preparation of plans and specifications and work done in the construction, reconstruction, alteration, and improvement of buildings shall be supervised by the Alabama Building Commission, regardless of source of funds for the project.
4. Following the completion of buildings, the State Board of Education shall assume responsibility for ownership. Subject to applicable State Board of Education Policies each college shall assume the responsibility for operation, management, control, supervision, maintenance, upkeep and improvement of such buildings.
5. Any purchase or sale of any building must be approved by the State Board of Education. All building purchase or sale transactions require a minimum of two appraisals which are conducted by certified property appraisers.
6. Any purchase or sale of land shall be approved by the State Board of Education. All land transactions require a minimum of two appraisals which are conducted by certified property appraisers.