

Southern University Board of Supervisors
10:00 A.M.
Saturday, July 24, 1993
Board Room, J.S. Clark Administration Building
Southern University - Baton Rouge

MINUTES

The meeting of the Southern University Board of Supervisors was convened by the Chairman, Mr. Frank Williams, Jr.

The invocation was given by Rev. Jesse B. Bilberry, Jr.

PRESENT

Mr. Frank Williams, Jr. - Chairman
Mr. Patrick Fontenot - Vice Chairman
Rev. Jesse B. Bilberry, Jr.
Mrs. Etta Pearl Brew
Mr. Warren Chretien
Atty. Edselle Cunningham
Rev. Joe R. Gant

Mr. Allen J. Hamilton
Mrs. Emma P. Hartley
Mr. Bobby D. Higginbotham
Mrs. Nina H. Marchand
Dr. James Meza, Jr.
Mr. Willie T. Sensley, Sr.
Dr. Jesse N. Stone, Jr.

ABSENT

Mrs. Pearl H. Elloie
Mr. Keenon Wilborn

UNIVERSITY PERSONNEL ATTENDING

President Dolores R. Spikes, Secretary to the Board
Vice President Tolor E. White
Chancellors B.K. Agnihotri, Robert Gex and Marvin Yates
Interim Chancellor Mary Wilson
Vice Chancellors M. Bartley, C. Cunningham, S. Gilliam, J. Hoffman, P. Honore', Juanita Robinson and Junius Robinson

Atty. W. DeCuir

AGENDA ITEM 3: ADOPTION OF THE AGENDA

On motion of Mr. Higginbotham, seconded by Mrs. Marchand, the agenda was adopted, as amended.

Motion carried unanimously.

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AMENDMENTS:

- Change Item 9 to Item 4A
- Item 5A. Presentation by Mrs. Joy Hatter
- Item 10. Brief statement and request by the System President
- Add to Item 7b. SULC - Form 115

**AGENDA ITEM 4: MINUTES OF REGULAR AND SPECIAL BOARD MEETINGS,
JUNE 12 AND JUNE 26, 1993**

On motion of Rev. Gant, seconded by Mrs. Marchand, the Board adopted the minutes of its regular meeting on June 13, 1993 and its special meeting on June 26, 1993.

Motion carried unanimously.

**AGENDA ITEM 4A: REQUEST BY ADMINISTRATION FOR THE APPROVAL
OF THE REPORT, FINDINGS, RECOMMENDATIONS
REGARDING THE EMPLOYMENT OF MR. ANSEL
CREARY, SUBR**

Board Member Jesse N. Stone, Jr. requested the Board to recuse himself, including his physical presence, from any involvement with the matter of Mr. Ansel Creary. This request was tendered before the Board's consideration of this item began.

On motion of Mr. Higginbotham, seconded by Mr. Sensley, the Board voted to honor Dr. Stone's request.

Motion carried unanimously.

Dr. Stone departed the room.

An inquiry from Chairman Williams revealed that Mr. Creary nor his attorney was present.

Upon advice of counsel, the Board entered into executive session to discuss the item.

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On motion of Mr. Higginbotham, seconded by Mrs. Marchand, the Board convened into executive session to discuss the Administration's report, findings and recommendations regarding the employment of Mr. Ansel Creary, SUBR.

Motion carried. Dr. Stone was absent from these proceedings.

- EXECUTIVE SESSION -

- RECONVENTION -

On motion of Mr. Fontenot, seconded by Atty. Cunningham, the Board reconvened into open session.

Motion carried. Dr. Stone was absent from these proceedings.

Chairman Williams announced that the Board met in an executive session to consider the Administration's report, findings and recommendations regarding the tenure and employment of Mr. Ansel Creary, SUBR. Further, Mr. Williams advised that Mr. Creary's attorney had provided a written statement on his behalf which was read to the Board for its consideration during the executive session. No vote or motions were made while in executive session.

On motion of Mr. Higginbotham, seconded by Atty. Cunningham, the Board approved the following resolution.

Motion carried. Dr. Stone was absent from these proceedings.

RESOLVED by the Board of Supervisors for Southern University that the recommendation of the Administration, based upon the findings and recommendations of Tenure Committee which conducted the tenure hearing for Mr. Creary, is hereby approved and Mr. Ansel Creary's tenure be and it is hereby revoked and his employment at Southern University - Baton Rouge be and it is hereby terminated.

Motion carried. Roll call vote: 13 yeas, 0 nays, 0 abstentions. Dr. Stone was absent from these proceedings.

- Dr. Stone returned to the meeting -

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AGENDA ITEM 5: REPORT FROM THE PRESIDENT AND CHANCELLORS

Oral reports were received from the President and Chancellors for information.

AGENDA ITEM 5A: PRESENTATION BY MRS. JOY HATTER

Mrs. Joy Hatter, President of the S.U. Laboratory School P.T.A., addressed the Board regarding the Laboratory School. She expressed concerns relative to inclusion of alumni, students and parents in the implementation of the Chancellor's five-year plan and giving priority to African-American students in awarding academic scholarships. She stated that other concerns will be brought to the attention of the Chancellor at a later date.

Dr. Yates assured the Board that the P.T.A. and alumni will be involved in every step of the implementation of the Laboratory School's program.

AGENDA ITEM 6: COMMITTEE REPORTS

On motion of Mr. Higginbotham, seconded by Rev. Bilberry, the Board suspended its rules to allow the Board to consider the matters which were deferred by Committees on the previous day.

Motion carried.

Academic and Faculty Affairs/Personnel Policy Committee

The Committee's report was presented by the Chairman, Dr. James Meza, Jr.

On motion of Dr. Meza, seconded by Mrs. Marchand, the Board approved the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that academic calendars listed below be and are hereby approved.

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1993-95 Calendars - SUBR
1993-94 Calendars - SUNO
1993-94 Calendars - SUSBO
1993-94 Calendars - SULC

On motion of Dr. Meza, seconded by Mr. Higginbotham, the Board approved the following resolution.

Motion carried.

RESOLVED by the Board of Supervisors for Southern University that the recommendation from the SUBR Administration for the reduction of certain 12-month academic employees to 9-month positions be and it is hereby approved.

BE IT FURTHER RESOLVED that affected employees be and they are hereby allowed the flexibility to continue any appeal right which have not been exhausted.

Employees and positions affected:

1. Vera Daniels, Professor and Chair, Special Education
2. Thelma Deamer, Professor, Curriculum and Instruction
3. Maxwell Kees, Instructor, Special Education
4. Gussie Trahan, Assistant Professor, Behavior Studies
5. Henry Wiggins, Professor, Education
6. Darnell Lassiter, Assistant Professor, Special Education
7. Henry Teller, Professor, Special Education
8. Jimmy Lindsay, Professor, Special Education
9. Marilyn Seibert, Professor, Special Education
10. Edward Massenburg, Assistant Professor, Special Education
11. Regina Patterson, Assistant Professor, Special Education
12. Oscar Mitchell, Professor, Special Education

On motion of Atty. Cunningham, seconded by Dr. Meza, the Board approved the following resolution.

Motion carried.

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RESOLVED by the Board of Supervisors that the recommended appointment of Professor Mohamed S. Eisa to the position of Assistant Vice Chancellor for Academic Affairs at a 12-month salary of \$62,000, effective August 1, 1993 be and is hereby approved.

The recommendation from the Committee to defer the above action until the August Board meeting and to allow for Dr. Eisa's temporary appointment during the interim was changed by the Board as indicated in the motion stated hereinabove.

On motion of Dr. Stone, seconded by Atty. Cunningham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Board of Supervisors for Southern University that the recommended appointment of Dr. Brenda S. Birkett to the position of Dean of the College of Business and professor of Accounting at SUBR at a 12-month salary of \$84,000, effective August 1, 1993 be and is hereby approved.

Motion carried unanimously.

On motion of Dr. Meza, seconded by Rev. Gant, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Board of Supervisors for Southern University that the report and studies regarding the S.U. Laboratory School be and are hereby approved for implementation by the Administration.

On motion of Dr. Meza, seconded by Mr. Fontenot, the Board approved the report of the Academic And Faculty Affairs/Personnel Policy Committee.

Motion carried.

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Athletic Committee

The Committee's report was presented by the Chairman, Mr. Willie T. Sensley, Sr.

On motion of Dr. Stone, seconded by Mrs. Marchand, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Board of Supervisors for Southern University that the personnel recommendation evidenced on Form 3 for Mr. Herman Hartman be and it is hereby approved.

Chancellor Yates indicated that additional recommendations for Department of Athletics personnel will be submitted to the Board at its August meeting.

On motion of Mr. Sensley, seconded by Atty. Cunningham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the football contract between Southern University and the Indiana Black Expo, Inc. for a variety football game between SUBR and North Carolina A & T University to be known as the Coca Cola Circle City Classic, scheduled for October 1, 1994 at the Indiana Convention Center and Hoosier Dome in Indianapolis be and is hereby approved.

On motion of Mr. Sensley, seconded by Dr. Meza, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the 1993-94 operating budgets for athletics at SUBR and SUNO in the amount of \$3,054,100 and \$350,000, respectively, as recommended by the SUBR and SUNO Administration, be and are hereby approved.

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On motion of Dr. Stone, seconded by Mr. Fontenot, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that Chancellor Robert Gex be and he is authorized to include in the 1993-94 athletic budget for SUNO any additional funds that are allowed by the Board of Regents.

On motion of Mr. Sensley, seconded by Mr. Higginbotham, the Board accepted the Committee's action of delaying consideration and action on a recommendation regarding the employment contract for the Director of Athletics, SUBR until the August 1993 meeting.

Motion carried.

On motion of Mr. Sensley, seconded by Rev. Gant, the Board approved the report of the Athletic Committee.

Motion carried.

Executive Committee

The Committee's report was presented by the Chairman, Mr. Frank Williams, Jr.

On motion of Mr. Williams, seconded by Atty. Cunningham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the request for a hearing of grievance appeal filed by persons named below be and are hereby denied.

- a. SUNO English Department Faculty Members
 - Dr. Willene Taylor
 - Dr. Dorothy Well
 - Dr. Isaac Brumfield
 - Mr. Thornton Penfield

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b. Mr. Thornton Penfield

c. Dr. Robert Smith

Mr. Williams announced that when the matter regarding Dr. Robert Smith was discussed in the executive session the other parties who were present previously to this time exited the room.

On motion of Mr. Williams, seconded by Mr. Higginbotham, the Board adopted the report of the Executive Committee.

Motion carried.

Facilities, Property and Grounds Committee

The Committee's report was presented by Atty. Cunningham.

On motion of Atty. Cunningham, seconded by Mr. Sensley, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the Capital Project Record and Approval Form for Phase I Construction of tennis courts at SUBR in the amount of \$146,000 be and is hereby approved.

On motion of Atty. Cunningham, seconded by Dr. Stone, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the prioritized capital outlay requests for fiscal year 1994-95 for the S.U. System be and are hereby approved.

On motion of Atty. Cunningham, seconded by Rev. Gant, the Board adopted the following resolution.

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Motion carried.

RESOLVED by the Southern University Board of Supervisors that the Administration be and it is hereby authorized to execute a lease agreement for the Aerospace Technology Program at SUSBO.

Atty. Cunningham was asked to look into concerns expressed by Dr. Stone relative to programmatic aspects of the Aerospace Technology program and to provide a response within 7 to 10 days.

On motion of Atty. Cunningham, seconded by Mr. Fontenot, the Board approved the report of the Facilities, Property and Grounds Committee.

Motion carried.

Finance and Business Affairs Committee

The Committee's report was presented by the Chairman, Mr. Fontenot.

On motion of Mr. Fontenot, seconded by Mr. Higginbotham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the 1993 Summer Tuition Discounts for SUBR employees and/or dependents be and are hereby approved.

On motion of Mr. Fontenot, seconded by Mr. Higginbotham, the Board adopted the following resolution.

Motion carried.

RESOLVED that the Southern University Board of Supervisors hereby authorizes the President and Vice President for Finance and Business Affairs and Comptroller to take all steps necessary to effect the sale of the revenue bonds, including the negotiation with potential purchasers of the revenue bonds with a view toward adoption of a bond resolution and, in

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conjunction therewith, to (1) execute interim financing arrangements, if any, to facilitate necessary contractual arrangements during the construction period of the project; (2) execute all applications and resolutions, obtain all required approvals, create all necessary bank accounts, establish all reserves, and meet all debt service requirements which accrue as obligations in connection with the Project and (3) consummate the sale of the revenue bonds to finance the project.

FURTHER RESOLVED that application is hereby formally made to the State Bond Commission for consent and authority for this Board to issue revenue bonds in the principal amount of not to exceed \$650,000 to bear interest at a rate not to exceed 8.4% per annum, maturing over a period not to exceed twenty (20) years, for the purpose of paying the capital cost of planning, adding to, and resurfacing the running track at A.W. Mumford Stadium at Southern University and Agricultural and Mechanical College at Baton Rouge, Louisiana, said revenue bonds to be issued under the authority of Section 3351, paragraph A(4) of Title 17 of the Louisiana Revised Statutes of 1950, as amended, (La. R.S. 17:3351A(4)), said revenue bonds to be secured by a dedication and pledge of the net avails of the Intercollegiate Athletic Facilities Improvement Fee levied and collected from all students who pay the regular athletic fee currently levied in the amount of \$70.00 per semester or \$35.00 per summer session, said revenues not being subject to nor pledged for the security of any outstanding indebtedness of the Board or the Southern University System.

FURTHER RESOLVED that Kutak Rock, Baton Rouge, Louisiana, Bond Counsel, are hereby employed and empowered, authorized and requested to present to the State Bond Commission all information necessary and incidental to this application, said employment and compensation not to exceed the amount allowable under the Attorney General's Maximum Fee Schedule for Comprehensive and Coordinate Professional Services in the issuance of revenue bonds, and subject to the approval of the Attorney General in accordance with La. R.S. 42:263.

BE IT FURTHER RESOLVED that a copy of this resolution be submitted to the Attorney General of Louisiana for his approval in accordance with the requirements of La. R.S. 42:263.

BE IT FURTHER RESOLVED that all resolutions or parts of resolution in conflict herewith are hereby appealed.

On motion of Mr. Fontenot, seconded by Rev. Gant, the Board adopted the following resolution.

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Motion carried.

RESOLVED by the Southern University Board of Supervisors that payment of fees is hereby authorized to the Designer for design services in connection with the Project, as more particularly defined in the Louisiana Capital Improvement Projects - 1985 Procedures Manual for Design and Construction, Division of Administration edition of 1985, as amended November 20, 1986.

FURTHER RESOLVED that the Southern University Board of Supervisors hereby declares that it reasonably expects to reimburse expenditures in the amount of \$51,200 to be made to the Designer as payment for design services rendered in connection with the project from the proceeds of the revenue bonds to be issued by the Board to finance the project and further declares that this resolution is a "declaration of official intent" under Section 1.103-18 of the U.S. Treasury Regulations.

On motion of Mr. Fontenot, seconded by Mr. Higginbotham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the proposed 1993-94 Inter-institutional Cost Transfers for the Southern University System be and are hereby approved, in the amount of \$535,199. An additional amount of \$193,920 is hereby approved and shall be held in escrow by the institutions until a final decision is made by the Board at its August meeting on the personnel recommendations for the President's Office.

On motion of Mr. Fontenot, seconded by Rev. Gant, the Board approved the minutes of the Finance and Business Affairs Committee.

Motion carried.

Student Affairs Committee

The Committee's report was presented by the Chairman, Rev. Jesse B. Bilberry.

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On motion of Rev. Bilberry, seconded by Mr. Fontenot, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that the proposed reorganization of position and salary changes for personnel in the Division of Student Affairs at SUBR be and are hereby approved.

On motion of Rev. Bilberry, seconded by Mr. Higginbotham, the Board approved the report of the Student Affairs Committee.

Motion carried.

SUSBO Chancellor Search Committee

The Committee's report was presented by the Chairman, Mrs. Etta H. Brew.

Following a discussion regarding the requirement of a terminal degree based on the advertisement for the Chancellor's position, the following Board action was approved.

On motion of Dr. Meza, seconded by Dr. Stone, the Chancellor Search Committee shall accept applicants without a terminal degree, consistent with the advertisement of the position.

Dr. Meza withdrew his motion.

AGENDA ITEM 7: PERSONNEL RECOMMENDATIONS

On motion of Mr. Higginbotham, seconded by Rev. Bilberry, the Board adopted the following resolution.

Motion carried. Rev. Gant abstained.

RESOLVED by the Southern University Board of Supervisors that personnel recommendations evidenced by forms listed below be and are hereby approved.

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- SUBR: Forms 1 - 80b
- SULC: Forms 81- 85 and 115
- SUNO: Forms 86 - 103
- SUSBO: Forms 104 - 114

AGENDA ITEM 8: RESOLUTIONS

On motion of Rev. Gant, seconded by Mr. Higginbotham, the Board adopted the following resolution.

Motion carried.

RESOLVED by the Southern University Board of Supervisors that resolutions listed be and are hereby approved.

- Commendations to Mrs. Maxine Prescott Sarpy
- Commendations to Mr. Michael Meehan, SUNO
- Condolences
 - The Andrew Brown Family
 - The Fred Williams, Jr. Family
 - The Jennifer Thomas Family
 - The Chretien Family
 - The Barbara Banks Family
 - The Wiggins and Hayes Family

AGENDA ITEM 9: OTHER BUSINESS

a. Request by the President

In a statement to the Board, Dr. Dolores R. Spikes indicated that carrying out day-to-day responsibilities as President of the Southern University System with a limited staff, has caused her to become physically and mentally exhausted. She requested the Board to grant her a leave for a period of 90 days for rest and recuperation.

On motion of Mr. Higginbotham, seconded by Rev. Bilberry, the Board approved the President's request by adopting the following resolution.

Motion carried.

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RESOLVED by the Southern University Board of Supervisors that Dr. Dolores R. Spikes' request for a leave from the position of Southern University System President, effective August 16, 1993 and continuing for up to a maximum of three months be and is hereby approved.

FURTHER RESOLVED that if this entire three-month period is not needed for the purposes stated, Dr. Spikes' request to use the remaining leave at another time be and it is hereby approved.

FURTHER RESOLVED that Dr. Spikes' request for Mrs. Margaret Ambrose to be entrusted with decisions and responsibilities which accrue to the Office of the President be and it is hereby approved.

Mr. Higginbotham gave notice that changes in the Bylaws and Regulations would be presented to the Board in sixty (60) days.

AGENDA ITEM 10: ADJOURNMENT

On motion of Rev. Gant, seconded by Mr. Higginbotham, the meeting was adjourned.

Secretary, S.U. Board of Supervisors

Chairman, S.U. Board of Supervisors