Minutes
BOARD OF TRUSTEES' MEETING
August 26, 2020 10:00 a.m.
Hawkins Adams Long Hall of Honor, Troy University Campus
Troy, Alabama

The Troy University Board of Trustees convened at 10:00 a.m. on August 26, 2020, on the Troy University Campus Troy, Alabama.

I. Call to Order

Board President Pro Tempore Gibson Vance called the meeting to order and welcomed everyone to the 2020 annual meeting of the Board of Trustees. Mr. Vance thanked the members for their participation and expressed his appreciation of all the hard work by the committees. Mr. Vance welcomed the media. Mr. Vance expressed his thanks to Chancellor Hawkins, the staff, the faculty and administration for all the extra hard work the last six months for our students to provide an excellent educational opportunity in the safest environment possible.

Mr. Vance asked for a roll call.

II. Roll Call

At the request of Mr. Vance, the following members, comprising a quorum, answered present:

Mr. Gibson Vance, Mrs. Karen Carter, General Ed Crowell, Senator Gerald Dial, Dr. Roy Drinkard (by telephone), Mr. John Harrison (by telephone), Mr. Lamar P. Higgins, Dr. Earl Johnson, Mr. Forrest Latta, Mr. Allen Owen (by telephone), and Ms. Nicole Jayjohn, SGA President (non-voting member). Absent: Governor Kay Ivey; Mr. Charles Nailen

Mr. Vance called upon Trustee Forrest Latta to open with prayer.

III. Approval of Minutes

A draft copy of the minutes from the May 28, 2020 meeting was provided to the Board members prior to the meeting. Mr. Vance called for a motion to approve the minutes.

ACTION: MR. HIGGINS MADE A MOTION TO ACCEPT THE MINUTES FOR THE MAY 28, 2020, MEETING AS PRESENTED. THERE WERE NO CORRECTIONS OR ADDITIONS BROUGHT FORWARD. FOLLOWING A SECOND BY DR. EARL JOHNSON THE MOTION CARRIED.

IV. Reports

A. Chancellor

The following is an outline of the Chancellor's Report.

- Review of Agenda Items

- Higher Education Overview
  - National Impact of Pandemic
    - 50% of Universities Exclusively Online This Fall
    - ACE predicted 20% decline in fall
    - Athletics – Programs Cut at 60+ Institutions
    - 4 of 10 FBS Conference Cancel Fall Sports
  - 14 Closings Announced in 220
    - 350+ Institutions Considered "At-risk"
  - Continued Enrollments Challenges Likely
    - 25.2 million in 2011 to 22 million in 2019

- International Enrollments Shift
  - Kaplan Survey-Hardest Hit:

    - U.S. down 71%
    - Canada down 58%
    - U.K. down 56%
  - The Big winners:
    - Australia +167%
    - India +53%
    - South Korea +52%
    -

- COVID-19 Update

- Enrollment Snapshot
  - Headcount +0.3% over 2019
    - Fall 2019 15,174
    - Fall 2020 15,178 +0.3%
    - TROY Online +17%
  - Credit-hour Production over Budget
    - Budgeted 121,607
    - Actual 129,127 +6.1%
  - In-state projections:
    - AU +3%
    - USA, UNA, UAB—level enrollment
    - UAH down 1.8%
  - Community Colleges Hardest Hit
    - Alabama CC Enrollment down 29%

  - Greek Life Stronger
    - Sorority Rush:
      - 2019 242 pledged
      - 2020 283 pledged **+17%**
    - Fraternity Registration
      - 2019 162
      - 2020 188 **+16%**
    - NPHC Membership
      - 2019 121
      - 2020 85
  - HPHC Plaza in the Works

- News and Points of Pride
  - Princeton Review "Best in Southeast" 16th straight year
  - Coleman Center gets $592k Early Childhood grant
  - 3D Printing classes begin this fall at IDEA Bank

- Congratulations to Trustees
  - Mr. Vance—Alabama Bar Association VP
  - Gen. Crowell-Distinguished Alumnus of the Year
  - Mayor Johnson Re-elected Without Opposition
  - Dr. Drinkard—Happy 100th Birthday!

- Moving Forward: 6 Guiding Principles
  1. 100% of Programs Online

2. Focus on Employability of Graduates
3. Realign Staffing Patterns with Enrollment
4. Maintain Global Focus
5. Refine Roles of Alabama Campuses
6. Mature as a Research Institution

- New Health Sciences Building

- Link CMMS to Patterson Hall

- Leadership 101
  - Initial Plan Presented by Intermark
    - Offer free online course w/ option to earn academic credit
    - Leadership education priority at TROY
  - Goal—engage current and potential students
  - Introduce students to online learning
  - Defined success as enrolling 500—we enrolled 5,000
    - ALEA—300 students alone! Rave reviews from officers
  - Dr. Kerry Palmer, Assoc. Dean of Education, led the team

  Overview
  - Target potential influencers
  - Demonstrate Trojan Warrior Spirit!
    - Leadership During Pandemic
  - Patterned After Existing Course
    - Two four-week sessions, June & July
    - Extensive Guest Lecturers
    - Focus on Real-world Experience
    - Option to Take Exam for Academic Credit

  Return on Investment
    - Course Completions
    - 1,605 Continuing Ed Certificates
    - 272 Passed Exam for Academic Credit
    - Bottom Line on ROI: 460 Students in Leadership 101 enrolled for Fall Semester

  Dr. Kerry Palmer provided a briefing on the Leadership 101 course.

- John Lewis Memorial Service

B. Board Committee Reports

- **Executive Committee, Honorable Gibson Vance**

Mr. Vance reported the Executive Committee met to consider three resolutions approved by the Executive Committee. Mr. Vance reported on the following resolutions recommended to the full board.

Amending the Bylaws of the Troy University Board of Trustees

ACTION: TRUSTEE HIGGINS MADE A MOTION TO ADOPT RESOLUTION NO. 1, AS REFLECTED BELOW. TRUSTEE CARTER PROVIDED A SECOND TO THE

MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE

Resolution No. 1

Amending the Troy University Board of Trustees Bylaws Article III, Section 5

WHEREAS, The Troy University Board of Trustees is governed by the Bylaws of the Board; and

WHEREAS, the section of the Bylaws governing the President Pro Tempore Emeritus is found in Article III, Section 5; and

WHEREAS, the Executive Committee of the Board recommends as prudent that the requirements for designation as President Pro Tempore Emeritus be changed from three terms of service to two, as outlined in the proposed wording below;

Section 5. President Pro Tempore Emeritus: The President Pro Tempore Emeritus shall be an honorary position elected from the membership of the Board. The President Pro Tempore Emeritus shall have served **~~three~~ two terms** as President Pro Tempore prior to election as President Pro Tempore Emeritus. The President Pro Tempore Emeritus shall serve as ex officio member of all standing committees and shall serve as advisor to the current President Pro Tempore while serving on the Board. After the President Pro Tempore Emeritus is no longer a member of the Board of Trustees, the title and designation as President Pro Tempore Emeritus shall be a special designation for recognition of outstanding service and dedication and shall publicly acknowledge the individual as particularly suited for counsel and advice to the Board.

THEREFORE, BE IT RESOLVED, that the Troy University Board of Trustees adopts the recommendation of the Executive Committee to amend the Bylaws of the Board of Trustees Article III, Section 5.

Mr. Vance then congratulated Senator Gerald Dial on his new title of President Pro Tempore Emeritus.

Mr. Vance provided background on an ad hoc committee which was chaired by Mr. Lamar Higgins. The committee was tasked to review the name of every named facility on all campuses to include how the name came to be, the historical nature of each name and recommend any changes that should be made. The committee passed their findings to the Executive Committee. The committee made the following recommendations noted in resolution no. 2 and resolution no. 3.

Resolution No. 2

ACTION: TRUSTEE HIGGINS MADE A MOTION TO ADOPT RESOLUTION NO. 2, AS REFLECTED BELOW. TRUSTEE OWEN PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Building Name Change

Removing the name of Bibb Graves from a Troy Campus Building

WHEREAS, Bibb Graves Hall, the centerpiece building of the main campus of Troy University in Troy, Alabama, was built in 1929 and named for a two-term Governor of Alabama; and

WHEREAS, the late Governor Bibb Graves has drawn controversy due to his affiliation with the Ku Klux Klan; and

WHEREAS, Troy University is devoted to the highest ideals of liberty and freedom for all people;

THEREFORE, BE IT RESOLVED, that the name of Bibb Graves be removed from the building that currently bears his name.

Resolution No. 3

ACTION: TRUSTEE JOHNSON MADE A MOTION TO ADOPT RESOLUTION NO. 3, AS REFLECTED BELOW. TRUSTEE DRINKARD PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Naming John Robert Lewis Hall

WHEREAS, the Honorable John Robert Lewis was born the son of sharecroppers on February 21, 1940, outside of Troy, Alabama, in rural Pike County; and

WHEREAS, John Lewis—dubbed "the boy from Troy" by Dr. Martin Luther King, Jr.— rose from humble beginnings to become a pivotal figure of the U.S. Civil Rights Movement, serving as Chairman of the Student Nonviolent Coordinating Committee as well as playing a major role and serving as a keynote speaker at the historic March on Washington in 1963; and

WHEREAS, John Lewis was a key figure in many of the historic events of the Civil Rights era, including the 1965 march across the Edmund Pettus Bridge in Selma, Alabama, which became known as 'Bloody Sunday;" and

WHEREAS, John Lewis began his career in elected service in 1981 as a member of the Atlanta City Council and in 1986 was elected to represent the 5th Congressional District of Georgia in the U.S. House of Representatives, an office he held until his passing on July 17, 2020; and

WHEREAS, Representative Lewis was a brother of Phi Beta Sigma fraternity, which has undergraduate and alumni chapters at Troy University; and

WHEREAS, Representative Lewis received the Honorary Doctor of Laws degree from Troy University, conferred on June 2, 1989;

THEREFORE, BE IT RESOLVED, that the building on the Troy Campus formerly known as Bibb Graves Hall be named John Robert Lewis Hall in memory of this distinguished son of Troy, Alabama, and to honor his distinguished record of service to our great nation and his devotion to the highest ideals of liberty and equality.

- **Finance Committee, Honorable John Harrison**

Mr. Vance called on Mr. Harrison to present the Finance Committee report. Mr. Harrison thanked Dr. Bookout and his staff on an outstanding job. Mr. Harrison then turned the presentation over the Dr. Bookout, Senior Vice Chancellor for Financial Affairs and Online Education. Dr. Bookout thanked Mr. Harrison for his leadership as chair of the Finance Committee.

- **Financial Report – Dr. Jim Bookout**

Dr. Bookout presented the current YTD operating budget to actual through July 31, 2020 which reflects we are up $7.5 million in revenue over expenses. He commended his colleagues for their good stewardship – cutting expenses - during the pandemic. He stated the University could end the year with a $9 million surplus and going into 2021, the University looks very strong financially.

Dr. Bookout presented a detailed financial deep-dive to include:

- Credit hour production budgeted at 159,157 credit hours for 2021
- State appropriations as a percent of actual tuition revenue
- History of undergraduate tuition rate changes at other Alabama universities
- Comparison of undergraduate tuition rates of universities in Alabama
- Comparison of tuition per credit hour at universities in Alabama
- Cost of attendance per semester compared to other Universities in Alabama
- State appropriations per FTE comparison
- Proposed revenue budget comparison for 2019, 2020 and 2021
- Proposed expense budget comparison for 2019, 2020 and 2021
- 10 Year history of the change in expense budget
- Change in Reserve vs Reserve Funded Projects
- Reserves Balances ($130,922,241)
- Funds Held for Investment

- Facilities Update
  - Projects in Planning:
  - Center for Material and Manufacturing Sciences
  - Nursing and Applied Sciences
  - Baseball Stadium Seating and Press Box Renovation

- Projects in Progress:
  - Trojan Center Renovation
  - Trojan Fitness Center
  - IDEA Bank (Downtown Troy – former Regions Bank Building)
  - Road and Parking Lot Paving

- **Resolution No. 4 – Approving the Fiscal Year 2021 Budget**

At the request of Mr. Harrison, Dr. Bookout introduced the resolution to approve the fiscal year 2020-2021 budget as presented, noting a carry forward from this current year that will fund the difference between revenue expense for this budget.

ACTION: TRUSTEE CARTER MADE A MOTION TO ADOPT RESOLUTION NO. 4, AS REFLECTED BELOW. TRUSTEE JOHNSON PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Resolution No. 4

Approving the Fiscal Year 2021 Budget

WHEREAS, the administration of Troy University has developed and recommended **the Troy University budget** for FY 2020-2021; and

WHEREAS, as the Chancellor has reviewed the revenues and expenditures within the proposed budget and has determined that the proposed budget is fiscally sound; and

WHEREAS, the Board members were briefed on various new revenues during the Board meeting in May 2020; and

THEREFORE, BE IT RESOLVED by the Board of Trustees on the 26th day of August 2020 that the budget for 2020-2021 fiscal year is approved with the understanding that the Chancellor is authorized to make such changes from time to time as, in his judgment, may be necessary, and that the Board of Trustees will be notified when substantial changes are made or there is a significant deviation from the approved budget that results in an increase of ten percent (10%) or higher; and

BE IT FURTHER RESOLVED that the Board of Trustees, due to continued volatility in enrollment trends and certain budgeted cost considerations, authorizes the flexibility for the Chancellor to adjust compensation to faculty, staff and classified employees of the university should it be determined funds will be available for the forthcoming year; such determination shall be concluded at a later date.

- **Resolution No. 5 – Amending the Tuition Rates and Fee Schedule**

Dr. Bookout presented a resolution amending the tuition rates and fee schedule to include the work undergraduate relating to the $50.00 fee.

ACTION: TRUSTEE CROWELL MADE A MOTION TO ADOPT RESOLUTION NO. 5, AS REFLECTED BELOW. TRUSTEE OWEN PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Resolution No. 5

Changing the Tuition Rates and Fee Structure

WHEREAS, Troy University is expected to receive an increase in state appropriations totaling $1.7 million for the fiscal year 2021; and

WHEREAS, Troy University's appropriation from the State of Alabama totals 24% of its operating budget. For this reason, Troy University has become a self-reliant, self-funded and 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 but advance its mission; and

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

Undergraduate per credit hour tuition - $325, In-Class; $338, Online
Graduate per credit hour tuition - $425, In-Class; $494, Online
Doctoral per credit hour tuition - $425, In-Class; $494, Online

WHEREAS, Troy University's current in-state fee structure is as follows; and

1. General Fee - $42.00 per credit hour (Alabama In-Class Only)

WHEREAS, for the 2020-2021 academic year, Troy University proposes no increase in undergraduate or graduate tuition rates, but proposes a change in the Doctoral Program per credit hour tuition rate to $550 In-Class and $550 Online; and

WHEREAS, for the 2020-2021 academic year, Troy University proposes no change to the General Fee, but proposes a new Online course fee of $50.00 per credit hour for all undergraduate students, enrolling in an online course, except those enrolled as TROY Online (ET01) students; and

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES that Troy University proposes the adoption of the changes previously stated, based upon passage by the Alabama Legislature of the Budget, specifically Troy University's Appropriation, recommended by the Governor and the Alabama Commission on Higher Education.

- **Student Affairs Committee, Honorable Ed Crowell**

Gen. Crowell provided brief comments on the important work of the Student Affairs committee. Gen. Crowell called on Dr. John Schmidt, Senior Vice Chancellor for Student Services for comments and introduction of Resolution No. 6 relating to the Free Speech Policy enacted by the Legislature. A copy of The Campus Free Speech and Assembly Policy which was provided for review prior to the meeting follows:

Campus Free
Speech And
Assembly Policy

I. Background

Alabama State Legislature Act 2019-396 enacted in June 2019 mandated certain free speech and assembly actions applicable to state universities and concurrent with other state and Constitutional freedoms. Complying with provisions of this new law, Troy University fully supports a campus environment that promotes, protects and upholds intellectual freedom of expression contributing to the marketplace of ideas to include those expressions that some may consider unwelcome, unpopular or disagreeable.

II. Policy Statement

Troy University recognizes and supports the role of a university as a marketplace for ideas. Freedom of expression and public assembly are essential components of the education process. Troy University is committed to its function as an institution in which stakeholders discover and disseminate knowledge by means of research and teaching.
Further, Troy University supports the rights of students, employees, and visitors to speak in public and to demonstrate for or against actions and opinions with which they agree or disagree.

Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition. The responsibility of the University to operate and maintain an effective and efficient institution of higher education requires regulation of time, place, and manner of assembly, speech, and other expressive activities on the grounds and facilities of the University. In keeping with this responsibility, students, faculty, and staff are free to exercise the rights to assemble and engage in expressive activity in a constitutionally protected manner subject only to the content-neutral regulations necessary to fulfill the mission and obligations of the University, preserve the rights of others, coordinate multiple uses of limited space, assure preservation of the campus facilities and grounds, and assure financial accountability for any damage caused by these activities.

It is not the proper role of the University to shield individuals from speech protected by the First Amendment of the United State Constitution and Article I, Section 4 of the Constitution of Alabama, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or offensive.

The University will at all times strive to remain neutral as an institution on the public policy controversies of the day, except as far as administrative decisions on the issues are essential to the day-to-day functioning of the University. The University will not require students, faculty, or staff to publicly express a given view of a public controversy. However, students, administrators, faculty, and staff are free to take positions on public controversies and to engage in protected expressive activity in outdoor areas of the campus, and to spontaneously and contemporaneously assemble, speak, and distribute literature.

In all cases of expressive activity, university employees must be mindful such expression should be in keeping with the mission of the university and do no harm to the university or others.

III. Definitions

Amplified Sound is sound that is increased or enhanced by any electric, electronic, or mechanical means, including handheld devices such as megaphones and sound trucks.

Campus Grounds means all outdoor areas owned, leased or controlled by the University that are common accessible to all students and employees such as sidewalks, lawns, parking lots, and promenades.

Demonstration action by a mass group or collection of groups of people in favor of a political or other cause or people partaking in a protest against a cause of concern; it often consists of walking in a mass march formation and either beginning with or meeting at a designated endpoint, or rally, to hear speakers.

Debate is a discussion in which opposing sides of an issue are advocated and/or presented by differing speakers.

Expressive Activity is the verbal or symbolic expression of an idea, thought or opinion and may include speeches, assembly, marches, parades, rallies, picketing, distribution of literature, graphic or pictorial displays and other similar activities intended to communicate an idea or opinion. Expressive Activity does not include speech that is likely to incite or produce imminent lawless action, expression that consists of fighting words or threats of physical harm or expression that is defamatory, obscene or commercial in nature.

Literature is any printed material that is produced in multiple copies for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include the *Tropolitan* or official University material.

Official University Function is all activities, events and programs sponsored by an academic or administrative unit of the University.

Outdoor Forum is a designated area on campus not confined by walls or a roof. Within this designated area, individuals or groups are encouraged to openly discuss, express, and/or exchange ideas on topics in accordance with university policies.

Outside Group/Individual. An **Outside Group** is an organization or group of people not registered with or recognized by the Dean of Students or, if a nonstudent group, another University division. An Outside Individual is any person not enrolled at or employed directly by the University.

Registered Student Organization is an organization that has been approved and recognized by the Division of Student Affairs in accordance with the ORACLE.

Sponsored Activity is any expressive activity that is presented by a sponsored guest under this policy.

Sponsored Guest is any person or organization invited to engage in expressive activity on campus grounds by a sponsoring organization in accordance with this policy.

IV. Policy

A. General. Troy University is committed to providing an educational environment that is conducive to the development of each individual. As a public institution, the university provides formal and informal forums for the expression of ideas and opinions as long as it is done within the context of university policies and does not impede pedestrian and/or vehicular traffic, disturb or interfere with normal academic, administrative or student activities, or involve coercive behavior.

B. Application. This policy applies to all University students, employees, organizations, and sponsored guests. This policy does not apply to official academic activities and

official functions of the University. For Faculty policies, refer to the Faculty Handbook.

C. Outdoor Forums.

Nothing in this section shall be interpreted to limit a student's right to free expression elsewhere on campus so long as the expressive activities or related conduct do not violate any other applicable university policies.

1. An outdoor forum area is designated in the Quadrangle area adjacent to the student center on the Troy campus.
    - For Dothan- the quadrangle between the three main buildings is so designated.
    - For Phenix City-the southside of the Riverfront building is so designated.
    - For Montgomery- the paved walkway to the west main entry to Bartlett Hall is so designated.
2. The University reserves the right to define, redefine or redesignate outdoor forum locations at its sole discretion.
3. These forum areas provide an area for free exchange of ideas and do not have to be pre-scheduled, However, sponsors/participants are encouraged to schedule with the Dean of Students to minimize possible conflict.

D. Free Expression Responsibilities

Freedom of expression at the university includes organized demonstrations or events. At the same time, the university has long recognized that this right does not include the right to engage in conduct that disrupts the university's operations or endangers the safety of others. Expressive activity may not create a vehicular or other safety hazard or constitute disruptive activity, defamation, riotous conduct or obscenity as defined by federal or state law and may not impede access to other expressive activity, such as blocking the audience's view or preventing the audience from hearing a speaker. Displaying a sign, gesturing, wearing symbolic clothing or otherwise protesting silently is permissible anywhere unless it is a disruptive activity as defined by federal or state law.

E. Expressive Activity Speaking and Use of Campus Facilities

1. **Campus Events**
    - Campus large scale events defined as events attracting 50 or more people require coordination with either the Senior Vice Chancellor for Academic Affairs (for academic events) or Dean of Students (for student organizations) for speaking events or demonstrations outside the outdoor forum.
    - Such events may include: invited speakers, use of amplified sounds, marches etc.
    - Only campus recognized organizations may sponsor such activities and must request authorization to use a university-controlled building or campus area.
    - Such requests must be submitted seven working days in advance to Dean of Students using the online event management request system.
2. **Organization responsibility.** Organizations inviting outside groups or speakers to campus will ensure that a safe, non-disruptive environment exists for free expression. In turn, speakers "expressive actions" must avoid defamation, threats, obscenities or conduct not conducive to good order and discipline. The University will not charge security fees based on anticipated speech content requiring the need for additional security.
3. **Reservation Denial.**

- The University will not deny a registered student organization any benefit or privilege available to any other registered student organization or otherwise discriminate against the organization based on the expression or beliefs of the organization.
- Requests to reserve a designated area, to use amplified sound, or to register a route for a parade, march or rally may not be denied based on the content of the proposed expressive activity.
- Requests may be denied for the following reasons:
    - Scheduling conflict with another group;
    - the designated area or an adjacent area has been reserved for an official University function or the designated area is no longer suitable for use due to a conflict with a nearby official University function;
    - the reservation or registration form is incomplete;
    - the request exceeds more than fifteen days in a semester or is for more than five consecutive days;
    - the proposed event or activity will substantially interrupt the safe and orderly movement of traffic or create a safety hazard; or
    - the request was submitted by an individual or organization that is not permitted to reserve space on campus under this policy.

4. <u>Expressive Activities Relocation</u>

Individuals and organizations engaged in expressive activity on campus may be required to relocate to other areas by the Dean of Students or, when immediate action is necessary, the University police department, under the following circumstances:

- **a.** the noise generated by the activity disrupts an official University function or substantially interferes with resident housing life and activities (e.g. the activity is too close to an academic, administrative or residential building);
- **b.** the location does not safely accommodate the number of participants;
- **c.** the number of individuals participating in or attending the activity creates unsafe conditions for vehicular or pedestrian traffic, parking, or blocks the ingress or egress to buildings or official university activities;
- **d.** the space has been reserved for an official University function, has been reserved in accordance with this policy, or a reserved location is needed for an official University function; or
- **e.** the activity creates a health or welfare hazard, such as interfering with fire, police or emergency services.

5. <u>Distribution of Literature</u>

Students, employees and sponsoring organizations may distribute literature on campus grounds. Sponsored guests may distribute literature only in the designated area reserved for their use. If no Registered Student Organization will sponsor an outside individual or organization to distribute literature on campus grounds, they may file a request with the Dean of Students seven business days before the requested event or activity. If an outside individual or organization does not reserve an area at least seven business days before they intend to distribute literature, they must use a designated outdoor forum defined in Section IV. C of this policy.

Students, employees, sponsoring organizations and sponsored guests who distribute literature should be responsible for refraining from littering on

campus grounds.

It should be understood and presumed that all literature distributed by students, employees, sponsoring organizations, or sponsored guests does not represent the views and opinions of Troy University. If literature could be reasonably mistaken as taking an official position on behalf of the University, a disclaimer statement should be added to the literature.

This policy does not apply to attempts to distribute literature that is commercial in nature (i.e. information about goods or services offered for sale).

6. Responsibilities of Individuals, Sponsoring Organizations and Sponsored Guests

Sponsoring organizations are responsible for ensuring that sponsored guests read and understand all obligations set out in this and all other applicable University policies. Members of the University community may be held individually responsible and sponsoring organizations may be held collectively accountable for any violations of University policies, including the Code of Student Conduct and personnel policies, as applicable. Sponsored guests who do not comply with this or other applicable University policies automatically forfeit their reservations and must immediately vacate University property. Repeat violations of this policy by a sponsored guest may result in loss of privilege for the sponsored guests as determined by the Dean of Students.

7. Appeal of Decisions Related to Expressive Activity

Students, employees and organizations whose requests for use of campus grounds for expressive activity are denied may appeal the decision to the Dean of Students no later than two business days after the decision that is being challenged was made. The appeal must be made in writing and state the specific reason(s) the individual or organization disagrees with the decision. The appeal should include all information the individual or organization believes will assist the Dean of Students to decide the matter. The Dean of Students will issue a decision on the appeal within three business days of its receipt. The decision is final.

V. Sanctions

Anyone under the jurisdiction of the University who materially and substantially disrupts the free expression of others is subject to a range of disciplinary sanctions per Alabama law. For students, see the Student Code of Conduct. For employees, see Staff and Faculty handbook.

VI. Event Termination/ Postponement

In addition to the forgoing stipulations in this policy, the University reserves the right to cancel, relocate, postpone, or take protective measures with respect to proposed or ongoing expressive activity if the speech or conduct in question poses an imminent threat of unlawful action, violence, or disruption of University activities or operations.

VII. Implementation and Reporting:

A. This policy will be incorporated as follows:

- Publish annually in student handbook- The ORACLE
- Include with Human Resources materials for new faculty and staff orientation
- Post on TROY website

- Share annually with Student Government Association

B. Troy Board of Trustee Reporting

- On implementation, Troy Board of Trustees will report initial action to the Legislature and Governor no later than September 28, 2020.
- Annually, by August 1, the Senior Vice Chancellor for Student Services will provide a 12 Month report (August 1-July 31) to Chancellor who will submit to the Board, information as follows:
  - Violations of policy with dates/ description.
  - Outcome of violation-administrative, punitive
  - Describe challenges/ successes in supporting administratively or maintaining institutional neutrality
  - Any other information Board feels necessary to report
- Board, in turn, must submit an annual report to Governor and Legislature beginning September 1, 2021.
- Troy University will submit Board report to ACHE and post on its university web site.

- **Resolution No. 6 – Adopting a Campus Free Speech Assembly**

ACTION: TRUSTEE HIGGINS MADE A MOTION TO ADOPT RESOLUTION NO. 6, AS REFLECTED BELOW. TRUSTEE OWEN PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Resolution No. 6

Adopting a Campus Free speech and Assembly Policy

WHEREAS, Troy University supports the rights to freedom of speech and assembly guaranteed by the United States Constitution; and

WHEREAS, the Alabama Legislature passed Act 2019-396 which mandates certain free speech and assembly actions be taken by state universities, including the drafting and adopting of a Campus Free Speech and Assembly Policy; and

WHEREAS, Campus Free Speech and Assembly Policy has been drafted by senior administration and University counsel (see attached);

THEREFORE, BE IT RESOLVED, the Troy University Board of Trustees approves this Campus Free Speech and Assembly Policy, directs that it be made part of University policy, and in doing so affirms its support for these fundamental freedoms.

- **Institutional Advancement Committee, Honorable Forrest Latta**

Mr. Latta stated Institutional Advancement Committee would present one action item and one information item. Mr. Latta called on Dr. Schmidt to report on the highlights of the draft strategic plan presented at the May meeting. Dr. Schmidt reported on the basic elements of the strategic plan: serving, recruiting, retaining and graduating our students into employable jobs.

Dr. Schmidt introduced Mr. Ronnie Creel and Ms. Carrie Manning to present a dashboard created at the request of the Board. Mr. Creel provided an overview of the information available through the dashboard.

- **Strategic Planning Report—Dr. John Schmidt**

ACTION: TRUSTEE HIGGINS MADE A MOTION TO ADOPT RESOLUTION NO. 7, AS REFLECTED BELOW. TRUSTEE OWEN PROVIDED A SECOND TO THE MOTION. THERE BEING NO DISCUSSION, THE MOTION WAS ADOPTED BY UNANIMOUS VOTE.

Resolution No. 7

Adopting the 2020-2025 Strategic Plan

WHEREAS, Troy University desires to adopt the 2020-2025 Strategic Plan; and

BE IT RESOLVED, that Troy University adopts the Strategic Plan beginning October 2020 and ending September 2025; and

BE IT RESOLVED, the administration of Troy University is authorized to perform any and all such acts deemed necessary or advisable to carry out the purposes and intent of this resolution; and

- **Intermark Group Presentation – Gen. Walter Givhan**

Gen. Givhan introduced Jake McKenzie and Paul Brusatori of Intermark, our new agency of record.

Following their information presentation, Mr. Vance called on Mr. Allen Owen for a report from the Athletic Policy Committee.

- **Athletic Policy Committee, Honorable Allen Owen**

Mr. Owen called on Mr. Brent Jones, Director of Athletics, to provide a report on behalf of the Athletic Policy Committee. Mr. Jones reported the football schedule was announced last Thursday which includes twelve games - six home games and six away. He predicted there will be starts and stops along the way.

- Football schedule announced last Thursday – six home & six away
- Stadium capacity for football games
- Weekly testing for student athletes

V. New Business

Mr. Vance asked the Trustees if there were any other to items to discuss. Trustee Johnson noted there were three members of the bar association around the table. Dr. Johnson congratulated Trustee Vance on his election as the vice president of the Alabama Bar Association.

VI. Adjournment

With no further business to come before the Board, Sen. Dial made a motion to adjourn. A second was made by Mr. Crowell, and the meeting adjourned.

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

C. Gibson Vance
President Pro Tempore
Troy University Board of Trustees