

Excerpts from minutes of meeting of State Board of Education held on December 14, 1967.

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JUNIOR COLLEGES

. . .

Athletics

On motion of Mr. Martin, seconded by Mr. Davis, the following resolution was adopted by all members voting aye:

WHEREAS, this Board recognizes that there is a need for close supervision of athletics in Alabama State Junior Colleges; and

WHEREAS, this Board deems it desirable to supervise athletics in said colleges:

THEREFORE, BE IT RESOLVED That State Junior Colleges furnish the State Superintendent of Education for his approval and recommendation a schedule of athletic events; and

BE IT FURTHER RESOLVED That the State Superintendent of Education is hereby directed to continue to study athletic activities in State Junior Colleges.

Football

On motion of Mrs. Strang, seconded by Mr. Poole, the following resolution was adopted by all members voting aye:

WHEREAS, the presidents of Alabama State Junior Colleges have expressed that they do not feel that football would be in the best interest of Alabama State Junior Colleges; and

WHEREAS, most states do not encourage football at the junior college level:

THEREFORE, BE IT RESOLVED That intercollegiate football is hereby prohibited in Alabama State Junior Colleges.

Athletic Scholarships

Superintendent Stone moved the adoption of the following resolution; motion seconded by Mr. Merrill, and unanimously carried:

BE IT RESOLVED That Alabama State Junior Colleges may award grants-in-aid not to exceed the numbers listed below:

Basketball	12
Baseball	12

Exhibit -
① - Stone

Tennis	4
Golf	4
Track	12
Soccer	12
Cross Country	5
Wrestling	4

BE IT FURTHER RESOLVED That the maximum amount of grants-in-aid may not exceed the total of fees, tuition and books; and

BE IT FURTHER RESOLVED That under no condition shall a participating athletic receive a cash stipend.

STATE OF ALABAMA
DEPARTMENT OF EDUCATION
MONTGOMERY, ALABAMA 36104

March 28, 1967

SENT TO:

99 school systems
Trade Schools
Junior Colleges
Senior Colleges under State Board

Re: Lee, et al -vs- Macon County
Board of Education, et al
Civil Action No. 604-E

Dear

This is official notice and advice to you to inform yourself as thoroughly as possible of the Court Order and DECREE issued by the United States District Court of Alabama, Eastern Division, in Civil Action No. 604-E, on March 22, 1967. It is of utmost importance that you are personally knowledgeable and aware of the directions contained in said DECREE and Order as they will or may affect your school system, trade school, junior college, senior college, or university. You are further advised that you are the person responsible to see that the necessary people in your organization are properly informed on this matter and that you, as the administrative head of your school system or institution, will be responsible for carrying out the provisions of said Court Order and DECREE at such time same will become mandatory.

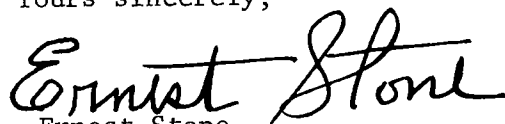
Please check the Sections of this DECREE whereby time limits are specified and inform yourself of your responsibilities in meeting the demands of such time limits and the effect such will or may have upon your system or institution.

I am required by Section IV of the DECREE to inform each of you affected by this DECREE that your local city or county school systems are to adopt a desegregation plan that will meet the standards embodied in the plan attached to the DECREE and designated as Exhibit "A", within twenty (20) days from the entry of the DECREE which was March 22, 1967. You will note also that this same Order required me within twenty-five (25) days from the entry of the DECREE to submit a report to the Court and to all parties informing them of the action taken by me and the results of that action.

In conclusion, I wish to advise you that I will do everything I possibly can to keep you informed of your duties and responsibilities and I will give you as much advanced notice as I reasonably can when it is necessary to meet deadlines or to hold meetings. The fact remains, however, that it is most likely that you will be urgently called to meetings on short notice, and often it will be very necessary that you attend said meeting in person.

It is my sincere hope and trust that we will be able to work with our problems to the best interest of all concerned.

Yours sincerely,


Ernest Stone

State Superintendent of Education

ES:mjf

(Stone)
DX-1

STATE OF ALABAMA
DEPARTMENT OF EDUCATION
MONTGOMERY, ALABAMA 36104

April 27, 1967

SENT TO:

Presidents of Junior Colleges
Directors of Trade Schools
Presidents of Senior Colleges and University
under State Board of Education

Re: Lee, et al. vs. Macon County Board
of Education, et al. - CA No. 604-E
March 22, 1967: DECREE

By order of the above-cited decree I am directed as State Superintendent of Education to call your particular attention to Section V of the above-captioned decree which is as follows:

Institutions Under State Board of Education Control

No person shall be denied admission to any trade school, junior college, or state college^{1/} administered by the Alabama State Board of Education upon the ground of race, nor shall he be subjected to racial discrimination in connection with his application for enrollment in or his attendance at any such trade school, junior college, or state college. Dual attendance zones based on race for such trade schools, junior colleges, and state colleges shall be abolished. The State Department of Education shall direct such trade schools, junior colleges, and state colleges to recruit, hire, and assign teachers so as to desegregate faculty and to accomplish some faculty desegregation in each such trade school, junior college, and state college by September 1967.

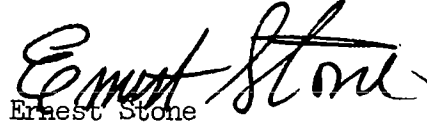
^{1/} The term "state college," as used herein, includes all state colleges or universities except the University of Alabama, Auburn University, University of South Alabama at Mobile, and Alabama College at Montevallo, which institutions have separate boards of trustees and are not administered by the Alabama State Board of Education.

Section V requires of you the implementation of this section "by September 1967". As required by the court, State Department of Education personnel will render, insofar as possible, any assistance requested in implementing these requirements of the court decree.

Stone
DX-2

You are requested to begin now formulating your plans in keeping with the decree and to keep me fully informed of any difficulties that may be encountered and of your progress in the matter.

Yours sincerely,

A handwritten signature in cursive script, reading "Ernest Stone". The signature is written in dark ink and is positioned above the printed name.

Ernest Stone

State Superintendent of Education

ES:no

STATE OF ALABAMA
DEPARTMENT OF EDUCATION
MONTGOMERY, ALABAMA 36104

April 19, 1967

SENT TO:

99 school systems
27 trade schools
14 junior colleges

Re: DECREE of United States District Court
Middle District of Alabama, Eastern Division
Dated March 22, 1967
Section III - School Transportation

Dear

I refer you to the School Transportation sections of the above-styled DECREE, as entered on pages 5 and 6; Exhibit A, page iv, Section N; and the Explanatory Letter, pages x and xi. To implement this portion of the DECREE, please observe the following directions:

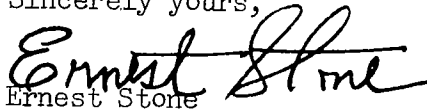
Essential Materials to be Submitted in duplicate to the State
Superintendent of Education for the Court

1. School bus route maps showing how buses will be operated in your school system commencing with the 1967-68 school year.
2. Develop in accordance with the DECREE written criteria determining eligibility of pupils to ride school buses.
3. Copies of letters used to advise students and parents of revised bus routes and criteria used to determine eligibility of students to ride the buses.
4. The DECREE requires that you submit the above-requested materials to the State Superintendent of Education on or before May 21, 1967. If you can possibly arrange to submit this information earlier, it will be most helpful in expediting the material for the Court.

Attached is a sheet giving instructions for making route maps. This procedure for making route maps is nationally recognized and can be interpreted uniformly. Please note that the instruction sheet also provides for a table giving information on each individual bus and route.

Your prompt attention to this matter is important.

Sincerely yours,


Ernest Stone

State Superintendent of Education

Stone
DX-3

ES/em

Attachment

INSTRUCTIONS FOR MAKING ROUTE MAPS

1. Use General Highway maps, which are available from the State Highway Department, scale - 1" equals 1 square mile.
2. Plot routes, using a different color (if possible) for each route terminating at the same center school.
3. Show the beginning of each route by using a rectangle. Write the numbers of the bus or route within the rectangle. At intervals along the route, show by arrow direction when traveling toward the school, and insert the numbers of the bus or route in circles placed at intervals along the route.
4. In cases where a bus reaches its capacity and a relief bus becomes necessary, identify the point at which the last child is picked up by inserting a triangle. Show where the relief bus begins picking up children with a rectangle, inserting the number of the relief bus.
5. In cases where a bus makes more than one trip, use the same color and number, but identify the trips as A, B, etc. Example: Route No. 14-A, 14-B, 14-C, etc.
6. Prepare a table, as illustrated below, and give information on each bus and each route.

<u>Bus</u> <u>Number</u>	<u>Bus</u> <u>Seating</u> <u>Capacity</u>	<u>Estimated</u> <u>Daily Load</u>	<u>Daily</u> <u>Mileage</u> <u>(One Way)</u>	<u>Terminal School</u>
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State of Alabama
Department of Education
State Office Building
Montgomery, Alabama 36104



August 28, 1967

ERNEST STONE
STATE SUPERINTENDENT OF EDUCATION

Re: Lee, et al. v. Macon County Board
of Education, et al - CA No. 604-E
March 22, 1967

To: Presidents of Junior Colleges, Presidents of Senior Colleges, and
Directors of Trade Schools

I wrote you under date of April 27, 1967 calling your attention to Section V of the above-styled Court Order and requested you to begin formulating plans for faculty and student desegregation beginning September, 1967 in accordance with the Court Order.

As State Superintendent of Education, I am directed by the Court Order to report to the Court the extent of desegregation in your institution. For your convenience, I am enclosing forms for your report. I am directed to file this report with the Court during the month of September, 1967. For this reason, please return the enclosed form in duplicate to me not later than September 26, 1967.

Your prompt attention and cooperation in this matter will be appreciated.

Yours sincerely,

A handwritten signature in cursive script that reads "Ernest Stone".

Ernest Stone
State Superintendent of Education

ES/em

Enclosure

cc: Judge Frank M. Johnson, Jr.

Stone
12X-4

JUNIOR AND SENIOR COLLEGES
First Quarter or First Semester 1967-68

Name of Institution

Students Enrolled By Race

	White	Negro	Other	Total
Freshman				
Sophomore				
Junior				
Senior				
Special				
Graduate				

Teaching Staff By Race

	White	Negro	Other	Total
Faculty				

Signed _____
President

Date

JUNIOR AND SENIOR COLLEGES
First Quarter or First Semester 1967-68

Name of Institution

Students Enrolled By Race

	White	Negro	Other	Total
Freshman				
Sophomore				
Junior				
Senior				
Special				
Graduate				

Teaching Staff By Race

	White	Negro	Other	Total
Faculty				

Signed _____
President

Date

JUNIOR AND SENIOR COLLEGES
First Quarter or First Semester 1967-68

Name of Institution

Students Enrolled By Race

	White	Negro	Other	Total
Freshman				
Sophomore				
Junior				
Senior				
Special				
Graduate				

Teaching Staff By Race

	White	Negro	Other	Total
Faculty				

Signed _____
President

Date



State of Alabama
Department of Education
State Office Building
Montgomery, Alabama 36104



February 28, 1968

ERNEST STONE
STATE SUPERINTENDENT OF EDUCATION

Re: Lee, et al. vs. Macon County Board
of Education, et al. - CA No. 604-E

To Presidents of Senior and Junior Colleges and Directors of Trade Schools
and Technical Institutes*

You were advised under date of April 27, 1967, that Section V of the above styled Court Decree required that each trade school, junior college, and state college administered by the Alabama State Board of Education must accomplish some faculty desegregation by September 1967. A report to this office for the Court after the beginning of the 1967-68 school year revealed that a number of said trade schools, junior colleges, and state colleges had accomplished little or no faculty desegregation by September 1967. Even in cases where some faculty desegregation has been accomplished, it is our opinion that the Court Decree requires progressive yearly implementation.

Your attention is again called to this matter well in advance of the 1968-69 school year. We think that it is imperative that you develop plans immediately to comply with the Court Decree not later than the beginning of the 1968-69 school year. Failure to do so could invite a court order setting quotas of faculty members of the minority race for each school. Based on past experience with failure to comply with the Court Decree, it is possible that voluntary compliance in this matter could be much more desirable than forced compliance.

Please advise if we can be of assistance in the formulation of plans for faculty desegregation.

Yours sincerely,


Ernest Stone

State Superintendent of Education

ES:pb

CC: Honorable Frank M. Johnson, Jr.

*Except Troy State University and Livingston State College.

Stone
DX-5

Each Probate Judge, Sheriff, and the Clerk and Register of Circuit Court is required by law to preserve this slip or pamphlet in a book kept in his office until the Act is published in permanent form.

ALABAMA LAW

(Regular Session, 1967)

Act No. 420

H. 503—Bassett, Har

AN ACT

To create a board of trustees to manage and control Troy State College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for transfer from said state department of education to the board of trustees of Troy State College of all supplies, funds, books, documents, records and other property or effects of such college.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a board of trustees for Troy State College, the state educational institution at Troy, Alabama. The board of trustees shall consist of two members from the congressional district in which the institution is located, one from each of the other congressional districts of the state, the state superintendent of education, and the governor, who shall be ex officio president of the board. The trustees shall be appointed by the governor, by and with the advice and consent of the senate, and, except for the first trustees appointed, shall hold office for a term of twelve years, and their successors shall be appointed and qualified. The board shall be divided into three classes, as nearly equal as may be, so that one-third may be chosen quadrennially. Of the first members appointed to the board one-third shall be appointed for terms of four years, one-third for terms of eight years, and one-third for terms of twelve years. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such. No employee of Troy State College shall be eligible to serve on its board of trustees.

Section 2. The governor and the state superintendent of education, by virtue of their respective offices and the trustees appointed from the several congressional districts of the state pursuant to Section 1 of this act, and their successors in office are constituted a body corporate under the name of "Troy State College."

Stone 12X-6

Section 3. Such corporation shall have all the rights, privileges and franchises necessary to a promotion of the end of its creation, and shall be charged with all corresponding duties, liabilities and responsibilities. Such corporation may hold, and may lease, sell or in any other manner not inconsistent with the object or terms of the grant or grants under which it holds, dispose of any property, real or personal, or any estate or interest therein, remaining of any grant by any governmental unit or by any person, or accruing to the corporation from any source, as it may deem best for the purposes of the college.

Section 4. The board of trustees has the power to organize the college by appointing a corps of instructors, who shall be styled the faculty of the college and such other instructors and officers as the interest of the college may require; and to remove any such instructors or other officers, and to fix their salaries or compensation and increase or reduce the same at their discretion; to regulate, alter or modify the government of the college, as they may deem advisable; to prescribe courses of instruction, rates of tuition, and fees; to confer such academic and honorary degrees as are usually conferred by institutions of similar character; and to do whatever else they may deem best for promoting the interest of the college.

Section 5. Any vacancy in the office of trustee, occurring during the recess of the legislature, shall be filled by appointment of the governor. Such appointee shall hold office until the next session of the legislature, when the vacancy shall be filled by the governor by and with the consent of the senate. A trustee appointed to fill a vacancy by the governor, by and with the consent of the senate, shall hold office during the unexpired term.

Section 6. The board of trustees of Troy State College shall hold its regular annual meeting each year at the college on the first Monday in June, unless the board shall, in regular session, determine to hold its meeting at some other time and place. Special meetings of the board may be assembled by either one of the two methods outlined as follows: (a) Special meetings of the board may be called by the governor. In calling such special meetings the governor shall mail a written notice to each trustee at least ten days in advance of the date of such meetings. (b) Upon the application in writing of any three members of the board, the governor shall call a special meeting, naming the time and place thereof and causing notices to be

issued in writing to the several members of the board. A meeting shall not be held on a date less than ten days sequent to the notice from the governor.

Section 7. Six members of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present.

Section 8. The certificate of the president of the board or, in his absence, of the president pro tempore, countersigned by the secretary, shall entitle the several trustees to the payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 9. No grant or gift, by will or otherwise, shall fail on account of any misnomer or informality, when the intent of the grantor or donor can be arrived at; nor shall any default, malfeasance, or nonuser, on the part of the trustees, or of officers or agents of such corporation, work a forfeiture of any of its rights, privileges, powers, or franchises.

Section 10. It shall be the duty of the board of trustees to make or cause to be made to the legislature, at each session thereof a full report of their transactions, and of the condition of the college, embracing an itemized account of all receipts and disbursements on account of the college by those charged with the administration of its finances.

Section 11. (a) The president of Troy State College, with the approval of the board of trustees, is hereby authorized to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon the college property and grounds. Such persons shall be charged with all the duties and invested with the powers of police officers and may eject trespassers from the college buildings and grounds, and may, without a warrant, arrest any person guilty of disorderly conduct or of trespass upon the property of the college, or for any public offense committed in their presence, and carry them before the nearest justice of the peace or other officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, any person so arrested may be tried and convicted as in cases of persons brought before him on his warrant; such officers shall have authority to summon a posse comitatus and may, with a warrant, arrest any person found upon or within the premises of the college charged with any public offense and take them before the proper officer.

(b) The police officers provided for in this section shall cooperate with, and when requested, furnish assistance to the regularly constituted authorities of the City of Troy; and their jurisdiction and authority shall be coextensive with the corporate limits of the municipality.

Section 12. After the effective date of this act, the board of trustees created by this act for Troy State College shall have exclusive jurisdiction, supervision and control of Troy State College; and the state board of education is thereafter divested of all jurisdiction, power and authority with regard to the supervision, management, and control of such college except as otherwise herein provided. In addition to the powers, duties and authority hereinabove vested in the board of trustees, such board shall have and exercise all power, authority and duties heretofore conferred on, vested in or required of the state board of education under any laws of this state with regard to the supervision, management, and control of such college except as otherwise herein provided. Upon the effective date of this act, the state board of education shall transfer to the board of trustees of Troy State College all supplies, funds, books, documents, records, and other property or effects of such college.

Section 13. The board of trustees may at such time as they deem necessary and proper recommend to the state board of education that the name of Troy State College be changed to Troy State University, and the state board of education may accept or reject such recommendation and is authorized to change the name of Troy State College to Troy State University.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are hereby repealed.

Section 16. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 7, 1967.

Time: 11:24 A.M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the enrolled

Act and it is a true and correct copy thereof.

Given under my hand this 13th day of September, 196

JOHN W. PEMBERTON
Clerk of the H

Each Probate Judge, Sheriff, and the Clerk and Register of Circuit Court is required by law to preserve this slip or pamphlet in a book kept in his office until the Act is published in permanent form.

ALABAMA LAW

(Regular Session, 1967)

Act No. 239

H. 220—Merrill, Lybrand, Burg
AN ACT

To create a board of trustees to manage and control Jacksonville State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to supervision, management and control of said university; and to provide for the transfer from said state department of education to the board of trustees of Jacksonville State University of all supplies, funds, books, documents, records and other property or effects of such university.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a board of trustees of Jacksonville State University, the state educational institution formerly known as Jacksonville State College at Jacksonville, Alabama. The board of trustees shall consist of two members from the congressional district in which the institution is located, one from each of the other congressional districts in the state, the state superintendent of education, and the governor who shall be ex officio president of the board. The trustees shall be appointed by the governor, by and with the advice and consent of the senate, and, except for the first trustees appointed, shall hold office for a term of twelve years, and their successors shall be appointed and qualified. The board shall be divided into three classes, as nearly equal as may be, so that one-third may be chosen quadrennially. Of the first members appointed to the board one-third shall be appointed for terms of four years, one third for terms of eight years, and one-third for terms of twelve years. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such. No employee of Jacksonville State University shall be eligible to serve on its board of trustees.

Section 2. The governor and the state superintendent of education, by virtue of their respective offices and the trustees appointed from the several congressional districts of the state pursuant to Section 1 of this act, and their successors in office

Stone DX-7

are constituted a body corporate under the name of "Jacksonville State University."

Section 3. Such corporation shall have all the rights, privileges and franchises necessary to a promotion of the end of its creation, and shall be charged with all corresponding duties, liabilities and responsibilities. Such corporation may hold, and may lease, sell or in any other manner not inconsistent with the object or terms of the grant or grants under which it holds, dispose of any property, real or personal, or any estate or interest therein, remaining of any grant by any governmental unit or by any person, or accruing to the corporation from any source, as it may deem best for the purposes of the university.

Section 4. The board of trustees has the power to organize the university by appointing a corps of instructors, who shall be styled the faculty of the university and such other instructors and officers as the interest of the university may require; and to remove any such instructors or other officers, and to fix their salaries or compensation and increase or reduce the same at their discretion; to regulate, alter or modify the government of the university, as they may deem advisable; to prescribe courses of instruction, rates of tuition, and fees; to confer such academic and honorary degrees as are usually conferred by institutions of similar character; and to do whatever else they may deem best for promoting the interest of the university.

Section 5. Any vacancy in the office of trustee, occurring during the recess of the legislature, shall be filled by appointment of the governor. Such appointee shall hold office until the next session of the legislature, when the vacancy shall be filled by the governor by and with the consent of the senate. A trustee appointed to fill a vacancy by the governor, by and with the consent of the senate, shall hold office during the unexpired term.

Section 6. The board of trustees of Jacksonville State University shall hold its regular annual meeting each year at the university on the first Monday in June, unless the board shall, in regular session, determine to hold its meeting at some other time and place. Special meetings of the board may be assembled by either one of the two methods outlined as follows: (a) Special meetings of the board may be called by the governor. In calling such special meetings the governor shall mail a written notice to each trustee at least ten days in advance of the date of such meetings. (b) Upon the application in writing of any three members of the board, the governor shall call

a special meeting, naming the time and place thereof and causing notices to be issued in writing to the several members of the board. Such meeting shall not be held on a date less than ten days subsequent to the notice from the governor.

Section 7. Six members of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present.

Section 8. The certificate of the president of the board, or, in his absence, of the president pro tempore, countersigned by the secretary, shall entitle the several trustees to the payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 9. No grant or gift, by will or otherwise, shall fail on account of any misnomer or informality, when the intent of the grantor or donor can be arrived at; nor shall any fault, malfeasance, misfeasance, or nonuser, on the part of trustees, or other officers or agents of such corporation, work the forfeiture of any of its rights, privileges, powers, or franchises.

Section 10. It shall be the duty of the board of trustees to make or cause to be made to the legislature, at each session thereof a full report of their transactions, and of the condition of the university, embracing an itemized account of all receipts and disbursements on account of the university by the board charged with the administration of its finances.

Section 11. - (a) The president of Jacksonville State University, with the approval of the board of trustees, is hereby authorized to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the university. Such persons shall be charged with all the duties and invested with all the powers of police officers and may eject trespassers from the university buildings and grounds, and may, without warrant, arrest any person guilty of disorderly conduct or trespass upon the property of the university, or for any public offense committed in their presence, and carry them before the nearest justice of the peace or other officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, any person so arrested may be tried and convicted as in cases of persons brought before him on a warrant; and such officers shall have authority to summon a posse comitatus, and may, with a warrant, arrest any person found upon or near the premises of the university charged with any public offense and take them before the proper officer.

(b) The police officers provided for in this section shall cooperate with, and when requested, furnish assistance to the regularly constituted authorities of the City of Jacksonville; and their jurisdiction and authority shall be coextensive with the corporate limits of the municipality.

Section 12. After the effective date of this act, the board of trustees created by this act for Jacksonville State University shall have exclusive jurisdiction, supervision and control of Jacksonville State University; and the state board of education is thereafter divested of all jurisdiction, power and authority with regard to the supervision, management, and control of such university. In addition to the powers, duties and authority hereinabove vested in the board of trustees, such board shall have and exercise all power, authority and duties heretofore conferred on, vested in or required of the state board of education under any laws of this state with regard to the supervision, management, and control of such university; and the board of trustees shall carry out all contractual obligations heretofore incurred by the state board of education respecting the operation of the public schools of the City of Jacksonville. Upon the effective date of this act, the state board of education shall transfer to the board of trustees of Jacksonville State University all supplies, funds, books, documents, records, and other property or effects of such university.

Section 13. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this act are hereby repealed.

Section 15. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved August 16, 1967.

Time: 7:24 P.M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the enrolled Act and it is a true and correct copy thereof.

Given under my hand this 17th day of August, 1967.

JOHN W. PEMBERTON
Clerk of the House

Each Probate Judge, Sheriff, and the Clerk and Register of Circuit Court is required by law to preserve this slip or page in a book kept in his office until the Act is published in permanent form.

ALABAMA LAW

(Regular Session, 1967)

Act No. 424

H. 541—Pruitt, Ma

AN ACT

To create a board of trustees to manage and control Livingston State College; to prescribe the powers, duties, authority, and composition of the board; to provide for the appointment and prescribe term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Livingston State College of all supplies, funds, books, documents, records and other property or effects of such college.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a board of trustees for Livingston State College, the state educational institution at Livingston, Alabama. The board of trustees shall consist of two members from the congressional district in which the institution is located, one from each of the other congressional districts in the state, the state superintendent of education, and the governor, who shall be ex officio president of the board. The trustees shall be appointed by the governor, by and with the advice and consent of the senate, and, except for the first trustees appointed, shall hold office for a term of twelve years and until their successors shall be appointed and qualified. The board shall be divided into three classes, as nearly equal in number as may be, so that one-third may be chosen quadrennially. Of the first members appointed to the board one-third shall be appointed for terms of four years, one-third for terms of eight years, and one-third for terms of twelve years. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such. Any employee of Livingston State College shall be eligible to serve on its board of trustees.

Section 2. The governor and the state superintendent of education, by virtue of their respective offices and the trustees appointed from the several congressional districts of the state pursuant to Section 1 of this act, and their successors in office.

Stone DX-8

are constituted a body corporate under the name of "Livingston State College."

Section 3. Such corporation shall have all the rights, privileges and franchises necessary to a promotion of the end of its creation, and shall be charged with all corresponding duties, liabilities and responsibilities. Such corporation may hold, and may lease, sell or in any other manner not inconsistent with the object or terms of the grant or grants under which it holds, dispose of any property, real or personal, or any estate or interest therein, remaining of any grant by any governmental unit or by any person, or accruing to the corporation from any source, as it may deem best for the purposes of the college.

Section 4. The board of trustees has the power to organize the college by appointing a corps of instructors, who shall be styled the faculty of the college and such other instructors and officers as the interest of the college may require; and to remove any such instructors or other officers, and to fix their salaries or compensation and increase or reduce the same at its discretion; to regulate, alter or modify the government of the college, as it may deem advisable; to prescribe courses of instruction, rates of tuition, and fees; to confer such academic and honorary degrees as are usually conferred by institutions of similar character; and to do whatever else it may deem best for promoting the interest of the college.

Section 5. Any vacancy in the office of trustee, occurring during the recess of the legislature, shall be filled by appointment of the governor. Such appointee shall hold office until the next session of the legislature, when the vacancy shall be filled by the governor by and with the consent of the senate. A trustee appointed to fill a vacancy by the governor, by and with the consent of the senate, shall hold office during the unexpired term.

Section 6. The board of trustees of Livingston State College shall hold its regular annual meeting each year at the college on the first Monday in June, unless the board shall, in regular session, determine to hold its meeting at some other time and place. Special meetings of the board may be assembled by either one of the two methods outlined as follows: (a) Special meetings of the board may be called by the governor. In calling such special meetings the governor shall mail a written notice to each trustee at least ten days in advance of the date

of such meetings. (b) Upon the application in writing of three members of the board, the governor shall call a special meeting, naming the time and place thereof and causing notice to be issued in writing to the several members of the board. Such meetings shall not be held on a date less than ten days subsequent to the notice from the governor.

Section 7. Six members of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present.

Section 8. The certificate of the president of the board, or, in his absence, of the president pro tempore, countersigned by the secretary, shall entitle the several trustees to the payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 9. No grant or gift, by will or otherwise, shall be made on account of any misnomer or informality, when the intent of the grantor or donor can be arrived at; nor shall any default, malfeasance, or nonuser, on the part of the trustees, or of officers or agents of such corporation, work a forfeiture of any of its rights, privileges, powers, or franchises.

Section 10. It shall be the duty of the board of trustees to make or cause to be made to the legislature, at each session thereof a full report of their transactions, and of the condition of the college, embracing an itemized account of all receipts and disbursements on account of the college by those charged with the administration of its finances.

Section 11. (a) The president of Livingston State College, with the approval of the board of trustees, is hereby authorized to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the college. Such persons shall be charged with all the duties and invested with all the powers of police officers and may eject trespassers from the college buildings and grounds, and may, without a warrant, arrest any person guilty of disorderly conduct or of trespass upon the property of the college, or for any public offense committed in their presence, and carry them before the nearest justice of the peace or other officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, any person so arrested may be tried and convicted. In cases of persons brought before him on his warrant; and such officers shall have authority to summon a posse comitatus and may, with a warrant, arrest any person found upon or near

the premises of the college charged with any public offense and take them before the proper officer.

(b) The police officers provided for in this section shall cooperate with, and when requested, furnish assistance to the regularly constituted authorities of the City of Livingston; and their jurisdiction and authority shall be co-extensive with the corporate limits of the municipality.

Section 12. After the effective date of this act, the board of trustees created by this act for Livingston State College shall have exclusive jurisdiction, supervision and control of Livingston State College; and the state board of education is thereafter divested of all jurisdiction, power and authority with regard to the supervision, management, and control of such college except as otherwise herein provided. In addition to the powers, duties and authority hereinabove vested in the board of trustees, such board shall have and exercise all power, authority and duties heretofore conferred on, vested in or required of the state board of education under any laws of this state with regard to the supervision, management, and control of such college except as otherwise herein provided. Upon the effective date of this act, the state board of education shall transfer to the board of trustees of Livingston State College all supplies, funds, books, documents, records, and other property or effects of such college.

Section 13. The board of trustees may at such time as they deem necessary and proper recommend to the state board of education that the name of Livingston State College be changed to Livingston State University, and the state board of education may accept or reject such recommendation and is authorized to change the name of Livingston State College to Livingston State University.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are hereby repealed.

Section 16. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Approved September 7, 1967.

Time: 11:28 A.M.

I hereby certify that the foregoing copy of an Act of the Legislature of Alabama has been compared with the original Act and it is a true and correct copy thereof.

Given under my hand this 13th day of September, 19

JOHN W. PEMBERTON

Clerk of the House

Each Probate Judge, Sheriff, and the Clerk and Register of Circuit Court is required by law to preserve this slip or part in a book kept in his office until the Act is published in permanent form.

ALABAMA LAW

(Regular Session, 1967)

Act No. 773

H. 650—Hill, Hay

AN ACT

To create a board of trustees to manage and control Florence College; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the term of office of members thereof; to divest the state department of education of all jurisdiction, power and authority with respect to the supervision, management and control of said college; and to provide for the transfer from said state department of education to the board of trustees of Florence State College of all supplies, funds, books, documents, records and other property or effects of such college.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a board of trustees of Florence State College, the state educational institution at Florence, Alabama. The board of trustees shall consist of six members who are residents of the seventh and eighth congressional districts, at least two of whom shall be residents of the county in which the institution is located, and three members from the state at large, the state superintendent of education, and the governor, who shall be ex officio president of the board. The trustees shall be appointed by the governor, by and with the advice and consent of the senate, and, except for the first trustees appointed, shall hold office for a term of twelve years, until their successors shall be appointed and qualified. The board shall be divided into three classes, as nearly equal as may be, so that one-third may be chosen quadrennially. Of the first members appointed to the board one-third shall be appointed for terms of four years, one-third for terms of eight years and one-third for terms of twelve years. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such. No employee of Florence State College shall be eligible to serve on its board of trustees.

Section 2. The governor and the state superintendent of education, by virtue of their respective offices and the trustees appointed from the several congressional districts of the state pursuant to Section I of this act, and their successors in office are constituted a body corporate under the name of "Florence State College."

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Section 3. Such corporation shall have all the rights, privileges and franchises necessary to a promotion of the end of its creation, and shall be charged with all corresponding duties, liabilities and responsibilities. Such corporation may hold, and may lease, sell or in any other manner not inconsistent with the object or terms of the grant or grants under which it holds, dispose of any property, real or personal, or any estate or interest therein, remaining of any grant by any governmental unit or by any person, or accruing to the corporation from any source, as it may deem best for the purposes of the college.

Section 4. The board of trustees has the power to organize the college by appointing a president, whose salary shall be fixed by the board, and by employing a corps of instructors, who shall be nominated to the board in writing by the president and who shall be styled the faculty of the college, and such other instructors and officers as the interests of the college may require; and to remove any such instructors or other officers, and to fix their salaries or compensation and increase or reduce the same at their discretion; to regulate, alter or modify the government of the college, as they may deem advisable; to prescribe courses of instruction, rates of tuition, and fees; to confer such academic and honorary degrees as are usually conferred by institutions of similar character; and to do whatever else they may deem best for promoting the interest of the college.

Section 5. Any vacancy in the office of trustee, occurring during the recess of the legislature, shall be filled by appointment of the governor. Such appointee shall hold office until the next session of the legislature, when the vacancy shall be filled by the governor by and with the consent of the senate. A trustee appointed to fill a vacancy by the governor, by and with the consent of the senate, shall hold office during the unexpired term.

Section 6. The board of trustees of Florence State College shall hold its regular annual meeting each year at the college on the first Monday in June, unless the board shall, in regular session, determine to hold its meetings at some other time and place. Special meetings of the board may be assembled by either one of the two methods outlined as follows: (a) Special meetings of the board may be called by the governor. In calling such special meetings the governor shall mail a written notice to each trustee at least ten days in advance of the date of such meetings. (b) Upon the application in

writing of any three members of the board, the governor shall call a special meeting, naming the time and place thereof and causing notices to be issued in writing to the several members of the board. Such meeting shall not be held on a date less than ten days subsequent to the notice from the governor.

Section 7. Six members of the board of trustees shall constitute a quorum, but a smaller number may adjourn from day to day until a quorum is present.

Section 8. The certificate of the president of the board, or, in his absence, of the president pro tempore, countersigned by the secretary, shall entitle the several trustees to the payment of their actual expenses incurred in the discharge of their duties as such trustees.

Section 9. No grant or gift, by will or otherwise, shall fail on account of any misnomer or informality, when the intent of the grantor or donor can be arrived at; nor shall a default, malfeasance, or misfeasance, or nonuser, on the part of the trustees, or other officers or agents of such corporation work a forfeiture of any of its rights, privileges, powers, franchises.

Section 10. It shall be the duty of the board of trustees to make or cause to be made to the legislature, at each session thereof a full report of their transactions, and of the condition of the college, embracing an itemized account of all receipts and disbursements on account of the college by those charged with the administration of its finances.

Section 11. (a) The president of Florence State College, with the approval of the board of trustees, is hereby authorized to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the college. Such persons shall be charged with all the duties and invested with the powers of police officers and may eject trespassers from the college buildings and grounds, and may, without a warrant, arrest any person guilty of disorderly conduct or of trespass upon the property of the college, or for any public offense committed in their presence, and carry them before the nearest justice of the peace or other officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, any person so arrested may be tried and convicted as in cases of persons brought before him on his warrant; and such officers shall have authority to summon

posse comitatus, and may, with a warrant, arrest any person found upon or near the premises of the college charged with any public offense and take them before the proper officer.

(b) The police officers provided for in this section shall cooperate with, and when requested, furnish assistance to the regularly constituted authorities of the City of Florence, and their jurisdiction and authority shall be coextensive with the corporate limits of the municipality.

Section 12. After the effective date of this act, the board of trustees created by this act for Florence State College shall have exclusive jurisdiction, supervision and control of Florence State College; and the state board of education is thereafter divested of all jurisdiction, power and authority with regard to the supervision, management, and control of such college except as otherwise herein provided. In addition to the powers, duties and authority hereinabove vested in the board of trustees, such board shall have and exercise all power, authority and duties heretofore conferred on, vested in or required of the state board of education under any laws of this state with regard to the supervision, management, and control of such college except as otherwise herein provided. Upon the effective date of this act, the state board of education shall transfer to the board of trustees of Florence State College all supplies, funds, books, documents, records, and other property or affects of such college.

Section 13. The board of trustees may at such time as they deem necessary and proper recommend to the state board of education that the name of Florence State College be changed to Florence State University, and the state board of education may accept or reject such recommendation and is authorized to change the name of Florence State College to Florence State University.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are hereby repealed.

Section 16. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Approved September 9, 1967.

Time: 4:25 P.M.

I hereby certify that the foregoing copy of an Act of Legislature of Alabama has been compared with the enrol Act and it is a true and correct copy thereof.

Given under my hand this 21st day of September, 196

JOHN W. PEMBERTON
Clerk of the Ho