

Spartanburg Herald Journal

## Ex-worker knocks Clemson credibility

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Clemson University raised tuition more than \$6,000 over the past seven years while stockpiling millions that could have been used to prevent those increases, a former employee claims in a lawsuit filed against the school's trustees and members of the administration.

Chalmers Eugene "Gene" Troutman III of Greenville, who served as executive secretary to the board of trustees for more than two years, says in the suit that between 2000 and 2007 the university increased in-state tuition from \$3,590 to \$9,900 while amassing \$137 million in unrestricted cash. Troutman also claims university officials intentionally kept the state Legislature from learning about the fund's growth for fear the lawmakers would reduce the school's budget appropriation.

Troutman claims the board fired him in August 2007 because he raised questions about the tuition increases and the growth of the fund. He says in the suit that the board violated his First Amendment rights, and that two officials defamed him. He is asking for actual and punitive damages, including back pay.

Named in the suit are Clemson President James Barker, Provost Doris Helms, General Counsel Clayton Steadman and trustees Leon Hendrix Jr., J.J. Britton, Bill Amick, Thomas Lynch Jr., Louis Lynn, Patricia McAbee, Leslie McCraw, E. Smith McKissick III, Thomas McTeer Jr., former Lt. Gov. Bob Peeler, William C. Smith Jr. and Joseph Swann.

The suit was filed in January in Richland County, but it has since been transferred to federal court. A hearing is scheduled for 10 a.m. Wednesday in Columbia in front of Judge Matthew J. Perry Jr., at which time Clemson will ask that the suit be dismissed.

Troutman would not comment, other than to say the lawsuit is "very factually dense and the facts do speak for themselves."

Clemson spokeswoman Cathy Sams said in a statement that the university had \$79.1 million in unrestricted funds - money for which a federal or state agency, or a private donor has not specified a use. The funds are held by the state treasurer and carry forward from one year to the next.

## **Planning money?**

Sams said Clemson is following state policy, which allows agencies to carry money forward to promote "sound budget practices and long-term planning."

"Failure to plan for known and unknown future expenses would be irresponsible," Sams said.

Sams said the funds are unrestricted, not uncommitted. She said Clemson has dedicated funds for multiple-year plans or projects.

"For example, funds have been internally designated for multi-year facility projects that are currently under construction, to cover start-up costs as we replace hundreds of faculty members who will retire in the next few years and for major investments such as a recent computer network upgrade."

Clemson's unrestricted cash grew from \$43.6 million on June 30, 2002, to \$91.3 million on June 30, 2006, according to Sams. The fund was at \$79.1 million on June 30, 2007.

Troutman claims in his suit that despite having the cash on hand, buildings and infrastructure in need of repair were left untouched. The suit says that in 2004, former Chief Financial Officer Scott Ludlow met with Barker and asked for \$20 million to use for maintenance and suggested cutting a proposed tuition increase from 12 percent to 6 percent.

The requests were rejected, and a short time later Ludlow was forced to resign, the suit claims.

Ludlow, who is now employed by the state Technical College System, could not be reached for comment. Barker did not respond to an e-mail seeking comment.

Troutman also claims in the lawsuit that trustees violated state law by classifying some administrators as "lecturers" to get around salary limitations, and they consistently violated the state's open meetings law by discussing issues in closed sessions.

## **Not 'much credence'**

House Speaker Bobby Harrell, R-Charleston, brushed off the lawsuit as the action of a disgruntled employee. He said if such a fund does exist, the House Ways and Means Committee already has looked at it or plans to look at it.

"This is a fired employee who is saying these things because he's angry about losing his job," Harrell said. "Under these kinds of circumstances, I don't put much credence into something like this."

Ways and Means Chairman Dan Cooper, R-Piedmont, said he wasn't aware the university had such a large balance. But he said other agencies carry forward money in the same manner.

"I know (other agencies) have some. I don't know that they have the same amount Clemson has," Cooper said.

House Speaker Pro Tem Doug Smith, R-Spartanburg, wasn't as quick to discount Troutman's claims.

"I hope it's not true, because if it is, they will never recover from the standpoint of credibility," Smith said. "Joe Collins (Troutman's attorney) is a heck of a lawyer, and it's hard for me to believe he would file a frivolous lawsuit. At some point, Clemson has got some explaining to do - not only to its alumni and its fans, but to the people in the state Legislature - and if it can justify and discount what has been alleged, then it's over."

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