

The Board of Trustees of the University of Central Arkansas convened in regular meeting Friday, May 9, 2003, at 2:00 p.m. in the Fireplace Room in McCastlain Hall with the following officers and members present:

Chair:	Mr. Rush Harding
Vice Chair:	Mr. Kelley Erstine
Secretary:	Mr. Scott Roussel
	Mrs. Patricia Bassett
	Mr. Randy Sims
	Dr. Michael Stanton
	Mr. Dalda Womack

constituting a quorum of said Board, at which meeting the following business was transacted:

MINUTES

Minutes of the February 21, 2003, and April 4, 2003, Board meetings were unanimously approved as circulated upon motion by Mr. Sims with a second by Mr. Roussel.

INTRODUCTIONS

President Hardin introduced the following individuals:

Mrs. Patricia Bassett - the newest Board member who replaces Rickey Hicks;
Ortavius Wright - Incoming Executive President of the Student Government Association;
Justin Partee - Incoming Executive Vice President of the Student Government Association;
Carl Fredrickson - Incoming President of the Faculty Senate (not present);
Sondra Gordy - Incoming Vice President/President Elect of the Faculty Senate;
Julia Robison - Incoming President of the Staff Senate;
Shannon Fleming - Associate Vice President for Development; and
Katherine Hambuchen - Development Officer.

PRESIDENT'S REPORT

Legislative Session - President Hardin summarized actions during the recent legislative session that affected UCA. President Hardin stated that the session was the best UCA could have had under the circumstances. UCA was awarded \$705,000 in general improvement money from UCA's 0.388 Presthe

(1) Background: On March 10, 2000, Mary Landreth, a UCA history professor, was involved in an automobile accident on Interstate 430 in Little Rock. While returning from a trip to the University of Arkansas at Monticello, Dr. Landreth, while traveling northbound on I-430 in west Little Rock, crossed the median of the interstate and struck a van in the southbound lanes. Dr. Landreth was killed, as was the driver of the van, Ms. Tamrya L. Gray. Ms. Gray also had minor children in the van, all of whom were injured, one critically.

(2) State Claims Commission: On March 6, 2003, three (3) separate cases arising out of this accident were filed with the Arkansas State Claims Commission. They are as follows:

(a) No. 03-1069-CC: Lawrence Henry vs. UCA. Amount claimed is \$5,000.00.

(b) No. 03-1070-CC: Lawrence Henry, Next Friend of Christopher Henry, a minor vs. UCA. Amount claimed is left blank in the claim. Allegations are that the minor suffered permanent eye injury, broken jaw, and other injuries.

(c) No. 03-1071-CC: Lee Gray, Guardian for Whitney Gray, Leanne Gray and Katye Gray vs. UCA. This claim is for injuries suffered by the three minors, all of whom were daughters of the deceased driver, Tamrya Gray. Claim field seeks \$3,900,000.00.

Status: We have filed an answer to all three claims and motions to dismiss, or in the alternative, to stay the proceedings pending other action (see below). The claims commission has entered an order in all three cases holding these claims in abeyance until the circuit court action in Crittenden County is resolved.

(3) Litigation Pending in Crittenden County Circuit Court: On March 6, 2003, Diane Sain, individually and as administrator of the Estate of Tamrya L. Gray, and on behalf of all of the beneficiaries of the Estate of Tamrya Lynn Gray filed suit in Crittenden County Circuit Court. The named defendants include the University of Central Arkansas, the President, and each member of the Board of Trustees.

We discovered this case in the course of investigating the claims commission filing, and in discussions with the firm of Huckabay, Munson, Rowlett & Moore, P.A. (the law firm hired by our insurance carrier to defend the case). No defendants have been served by the plaintiffs' lawyers (the firm of Barber, McCaskill, Jones and Hale, P.A. in Little Rock).

No damages are sought against either the President or any member of the Board. Appropriate motions will be filed seeking dismissal of this case against the University, the President and each member of the Board of Trustees, unless this is dropped in the very near future.

Resolution for Rickey Hicks - The following resolution was unanimously adopted upon motion by Mr. Erstine with a second by Dr. Stanton:

RESOLUTION

WHEREAS, Rickey Hicks has served as a valuable member of the University of Central Arkansas Board of Trustees from February 1996 until January 2003, and

WHEREAS, Rickey Hicks has served as a creative voice on the Board, and

WHEREAS, Rickey Hicks was the leader and the founder of the first mentoring program for minority students at the University of Central Arkansas, and

WHEREAS, Rickey Hicks served as an outspoken advocate for all students, but has been a strong advocate for minority students and faculty, and

WHEREAS, as a result of this extraordinary commitment, the Holloway-Hicks Scholarship for African-American students was named in his honor, and

WHEREAS, during Rickey Hicks' tenure, doctorates in physical therapy and school psychology were added to the university's curriculum, and

WHEREAS, during his tenure, Rickey Hicks continued the university's tradition of academic excellence, expanded the curriculum into other new areas, and improved and expanded the infrastructure of the campus, and

WHEREAS, on all of these matters, Rickey Hicks played a vital and important role,

BE IT RESOLVED, by the University of Central Arkansas Board of Trustees as follows:

RICKEY HICKS IS HEREBY COMMENDED FOR HIS EXTRAORDINARY SERVICE TO AND VISION FOR THE UNIVERSITY OF CENTRAL ARKANSAS. THE BOARD OF TRUSTEES, ON BEHALF OF STAFF, STUDENTS, FACULTY, ADMINISTRATION, AND ALUMNI, EXTENDS ITS HEARTFELT GRATITUDE FOR HIS YEARS OF OUTSTANDING SERVICE.

Witness our hands and seal this _____ day of _____.

Rush Harding, Chair

Scott Roussel, Secretary

On behalf of the Board, Mr. Harding expressed appreciation for Mr. Hicks' service to the Board and the university.

**AND OTHER FEES PER SEMESTER FOR THE 2003-2004 ACADEMIC YEAR,
EFFECTIVE FALL 2003;**

**BE IT FURTHER RESOLVED: THAT ALL FEES NOT MODIFIED REMAIN AT
THE 2002-2003 LEVEL."**

UNIVERSITY OF CENTRAL ARKANSAS
BOARD POLICY

Policy Number: 630 630

Subject: Fees - General Registration and Others

Date Adopted: 3/94 Revised: Passim (most recent 2/00)

UNDERGRADUATE

The current and proposed general registration and other required fees for an undergraduate student are as follows. These amounts are maximums.

	<u>Current</u>	<u>Proposed for 2003-2004</u>				
General Registration	1,656.00	1,885.00				
Facilities	36.00	39.00				
Cooperative Education	6.00	6.50				
Fine/Performing Arts	24.00	26.00				
HPER	48.00	52.00				
Health Services	5.00	5.00				
AAGE	<u>5.00</u>	<u>5.00</u>				
Sub-Total	1,780.00	2,018.50				
Student Ctr/Recreation	48.00	52.00				
Athletic	138.00	149.50				
Student Activity (Note 3)	13.50 (3.50 for 1-7 hrs.)	13.50	(3.50	for	1-7	
hrs.) 13.50 (3.50 5.00						
Radio Station	5.00	5.00				
Publication *	5.00	6.00	5.0			

*Charged fall

and

spring

semesters

only

Nursing Program Admission Fee and Clinical Competence Assessment Fee (Board Policy No. 639) - Dr. Gabriel Esteban, Provost,

UNIVERSITY OF CENTRAL ARKANSAS
BOARD POLICY

Policy Number: 639 639
 Subject: Fees - Health Sciences
 Date Adopted: _____

Page 1 of 1

Revised: Passim (most recent 5/99)

Application Fee

_____ In addition to other applicable fees, the following non-refundable application fees will be collected from students applying to the programs identified. UCA students enrolled as full-time students at the time of application or who were enrolled as full-time students in the immediately preceding semester will be exempt from the application fee listed below.

<u>Program</u>	<u>Application Fee</u>	
Speech-Language Pathology (MS)	\$25.00	\$25.
Occupational Therapy (BS)	50.00	50.00
Physical Therapy Assisting (AAS)	25.00	25.00
Physical Therapy (MS)	50.00	50.00
d Nursing (BSN)	25.00	(effective fall 2003) 25.00

d

II. Health Sciences Fee - effective May 1, 1999

Students enrolled in physical therapy, occupational therapy, nursing, speech-language pathology, dietetics, and athletic training will be assessed a special course fee, called a Health Sciences Fee, of \$11.00 per credit hour for courses as designated by these departments.

III. Acceptance Deposit - effective November 1, 1998

Students accepted into programs designated by the Provost will be required to pay a non-refundable \$150 deposit to hold their place in the program. The deposit will be applied toward the tuition for those students who enroll.

dIV. Nursing Assessment Fee

In addition to other applicable fees, baccalaureate nursing students will be charged a clinical competence assessment fee of \$4 per credit hour for each required course in nursing. Charges are based on existing costs of examinations. If costs increase, the per-credit cost may be adjusted accordingly.

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Fees - Health, Physical Education, Recreation (HPER) Center and Farris Center Pool (Board Policy No. 657) - Dr. John Smith, Executive Vice President, presented the following item and responded to questions from Board members:

Fees for employees electing to use the UCA HPER Center are \$96.00 per year. Those membership fees generate approximately \$20,000 per year to support the facility operations. In an effort to offset some expenses to employees, to encourage continued growth in use of the HPER Center, and to address a specific request of the Staff Senate, the administration is recommending that effective August 1, 2003, this fee be eliminated for university employees. Family members of employees will continue to pay a fee to use these facilities.

Instead of a HPER fee, employee usage of the HPER Center and Farris Pool will be funded through fringe benefits transfers from non-vested UCA contributions to TIAA-CREF retirement accounts. When an employee leaves UCA before completion of four years of service, a portion of the University's contribution is returned to UCA. Those funds must be designated for fringe benefits expenditures. While the amount varies each year, it is anticipated that the forfeitures will fully fund the approximately \$20,000 membership fees.

Employee membership at the HPER Center will be presented as an incentive in UCA's Wellness Initiatives Program. That program's purpose is to combine education, personal health management, and exercise to encourage

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HPER locker rental

\$ 5.00 (per locker)

*For purposes of this policy, employees enrolled in courses offered by the university will be assessed the fee ~~designated for employees~~ as per Board Policy #623 and #630.

~~Retirees: The fees for retirees of the university shall be the same as those assessed for current faculty and staff.~~

dUniversity Affiliates:d

College Square: The fees for residents of College Square shall be the same as those assessed for ~~current faculty and staff~~ full-time students.

Food Service Contract (Board Policy No. 633) - Dr. John Smith presented the following item and responded to questions from Board members: F

The university has received from ARAMARK, Inc. a food service proposal for the 2003-2004 contract year. The proposed contract provides for a rate increase of 3 % for the meal plans to reflect increases in operating costs.

The commission paid for off-campus special groups will be approximately 15%. The

Term	Meal Plan	2002-2003	2003 -	
2004	Increase T	Rate	Rate	%
		Per day	Per Day	
Fall & Spring	Unlimited*	\$5.45	\$5.61	3 \$5.45
	19 meals + \$50.00	\$5.14	\$5.29	3 \$5.14
	15 meals + \$50.00	\$4.83	\$4.97	3 \$4.83
	10 meals + \$75.00	\$4.61	\$4.75	3 \$4.61
	Any 7 meals with \$125.00	\$3.77	\$3.88	3 \$3.77 \$3.88
	Declining Balance	\$700.00	\$800.00	

Group	Meal	2002-2003	2003-2004	Amount	Increase
		Rate	Rate	To UCA	%
Casual	Breakfast	\$4.05	\$4.17	\$.50	3
Meals	Lunch	\$4.71	\$4.85	\$.58	3
	Dinner	\$4.77	\$4.91	\$.59	3
	Special	\$5.84	\$6.01	\$.73	3 \$5.

Group	Meal	Summer	Summer	Amount	Increase
		2002-2003	2003-2004	To UCA	%
		Rate	Rate		
Off-campus	Breakfast	\$3.49	\$3.59	\$.43	3
Special	Brunch	\$4.25	\$4.38	\$.53	3
Groups	Lunch	\$4.25	\$4.38	\$.53	3
	Dinner	\$4.25	\$4.38	\$.53	3

Group	Meal	Summer	Summer	
		2002-2003	2003-2004	Increase
		Rate	Rate	%
Summer I_____	Any 19 meals	\$7.41	\$7.63	3
& II_____	Any 15 meals	\$6.45	\$6.64	3
	Any 7 meals	\$5.45	\$5.61	3
Special	Any 10 meals	\$5.45	\$5.61	3
Groups	Any 7 meals with \$75.00	\$5.45	\$5.61	3

Group	Plan	2002-2003	2003-2004	Increase
		Rate	Rate	%
Commuter	Any 50 meals	\$390.00	\$390.00	0
Meal Plans	with \$175.00 DCB			
	Any 30 meals	\$260.00	\$260.00	0
	with \$125			DCB

Commissions: 15% for off-campus special groups 15%
10% for catered events
12% for casual meals in cafeteria
12% for special meal plan for non-boarders
12% for declining balance
12% for declining balance for non-boarders
10% for inclining balance
15% for Football Athletic Concessions
10% for Non-Football Athletic Concessions
10% for Java City
5% for C-Store
7% for Pizza Hut
10% for Chick-Fil-A

All meal plans have the option of adding a \$50.00 declining balance and the commission to the university will remain the 12% already paid on declining balances.

*Optional and not covered by university scholarships.

Following discussion, the following resolution, as an amendment to Board Policy No. 633, "Food Service Contract," was unanimously adopted upon motion by Mr. Roussel with a second by Dr. Stanton:

"BE IT RESOLVED: THAT THE UNIVERSITY OF CENTRAL ARKANSAS BOARD OF TRUSTEES AUTHORIZES THE ADMINISTRATION TO SIGN A ONE-YEAR CONTRACT WITH ARAMARK, INC., WITH RATES AS SHOWN IN THE CHART ABOVE, THEREBY AMENDING BOARD POLICY NO. 633, SERVICE CONTRACT."

"BE IT FURTHER RESOLVED: THE ADMINISTRATION IS AUTHORIZED TO SIGN A ONE-YEAR CONTRACT WITH ARAMARK, INC., FOR THE OPERATION OF THE FOOD COURT IN THE STUDENT CENTER AND SNACK BAR IN BBA, PROVIDING THAT ARAMARK, INC., WILL PAY THE UNIVERSITY 7% OF SALES IN THE PIZZA HUT, 10% OF SALES IN CHICK-FIL-A, 10% OF SALES IN THE JAVA CITY AND 10% OF SALES IN CHICK-FIL-A, 5% OF SALES FOR C-STORE, AND 12% OF SALES FOR ALL OTHER CASH OPERATIONS FOR THE PERIOD OF JUNE 1, 2003, THROUGH MAY 31, 2004, AND SIGN A SIMILAR CONTRACT WITH ARAMARK, INC., FOR THE OPERATION OF THE ATHLETIC CONCESSIONS AT ESTES STADIUM, THE FARRIS CENTER, AND FARRIS FIELD FOR THE PERIOD BEGINNING JUNE 1, 2003, THROUGH MAY 31, 2004, PROVIDING ARAMARK, INC., WILL PAY THE UNIVERSITY 15% OF GROSS SALES FOR FOOTBALL EVENTS AND 10% OF GROSS SALES FOR NON-FOOTBALL EVENTS DURING THE PERIOD OF THE CONTRACT."

Operating Budget for 2003-2004 - Dr. John Smith presented the following item. Discussion followed during which President Hardin, Dr. Smith, and Mr. Paul McLendon, Associate Vice President for Financial Services, responded to questions from Board members.

The proposed operating budget for fiscal year 2003-2004 totals \$ 93,988,845 as compared with

\$89,879,708 for fiscal year

budget reserve to assist if additional state revenue reductions occur or to hire additional faculty to cover class requirements. Other increases have been reflected in the development office, technology costs and property insurance.

A reduction of \$200,000 was reflected in this budget due to the elimination of the UCA - Netherland Program.

Athletic Department - The Athletic fee will cover increases in the athletic program: Scholarships, recruiting, transportation, student assistants, facility improvements, operational expenses, insurance and injury claims.

Housing and Food Services - The housing and food service expenditures reflect a three percent increase in the food service contract and the changes necessary to provide an additional 300 beds for 2003-2004.

Following discussion, the following resolution was unanimously adopted upon motion by Mr. Sims with a second by Mr. Roussel:

"BE IT RESOLVED: THAT THE UNIVERSITY OF CENTRAL ARKANSAS BOARD OF TRUSTEES APPROVES THE 2003-2004 OPERATING BUDGET TOTALING \$ 93,988,845 AS DISTRIBUTED AND DISCUSSED."

Housing (Board Policy No. 632) - Dr. John Smith presented the following items and responded to questions from Board members.

Room and Board Rates for 2003-2004

The current room and board charge is \$1,800 per semester for students in a double occupancy room and on the 19-meal

ROOM RATE SCHEDULE

Fall & Spring 2003 - 2004

Current

Proposed

Double Occupancy Room Rate

\$1,025.00per semester

\$1,056.00

Summer 2004

Any 19-meals per week	\$ 280.00 (per term)	\$ 302.00	\$ 302.00
Any 15-meals per week	\$ 255.00 (per term)	\$ 275.00	\$ 275.00
Any 7 meals per week	\$ 230.00 (per term)	\$ 250.00	

Baldrige Apartments Rental Rates for 2003-2004Baldrige

The rental rates for Baldrige Apartments will remain the same as the 2002 -2003 rates.

The following resolution, as an amendment to Board Policy No. 632, "

Parking and Traffic Regulations (Board

University of Central Arkansas

~~2002-2003~~ Parking & Traffic Regulations

2003-2004

I. Administrative Policy

In accordance with A.C.A. 25-17-307, the Board of Trustees of the University of Central Arkansas has established regulations for the operation and parking of motor vehicles on the UCA campus. These regulations apply to all faculty, staff, students, and others utilizing the land and streets owned or controlled by the University of Central Arkansas and are effective beginning August 15, ~~2002~~ **2003**. The University Police Department is the jurisdictional law enforcement agency empowered under State statutes to enforce all parking and traffic regulations of the University of Central Arkansas and the State of Arkansas on all campus *and university controlled* properties and those streets adjacent to campus properties.

1. Any appropriately licensed driver choosing to park an automobile on campus *or on other UCA owned or controlled properties* may do so, provided a parking permit is obtained and provided the driver understands that the permit neither obligates the university to set aside a space for every vehicle nor allows the driver to violate parking regulations.

2. The university reserves the right to restrict the use of an automobile on university property if the owner or driver has abused the privilege of operating a vehicle on campus.

3. The university assumes no responsibility for a vehicle or its contents.

4. Any motor vehicle parked on property owned or controlled by the university, including metered parking, and under the control of a student, faculty member, or staff member must properly display a valid UCA parking permit.

5. Failure to pay fines will result in the blocking of pre-registration or the withholding of transcripts or pay and refund checks.

6. A ticketed vehicle continuing in violation may be ticketed again as long as the violation continues. Overtime parking will be ticketed every two hours.

7. An illegally parked, but non-ticketed vehicle, is not an indication that the regulation being violated is no longer in effect.

8. Any person who is stopped by University Police for a violation of a traffic or parking regulation is subject to either a university or municipal citation as determined by the issuing officer.

9. Occupants of residence halls are requested not to drive to class, the ~~officers~~, campus areas between the hours of 6:30 a.m. and 4:30 p.m., Monday through Friday.

10. A traffic ticket or any ~~officer~~ communication from a University Police officer is an official

university notice. Recipients who do not respond to such a communication face disciplinary and/or legal action.

11. The Arkansas Crime Information Center furnishes the University Police Department with information on the owners of vehicles not displaying a permit that receive tickets. These tickets are then issued to the faculty/staff member or student whose home address match those on the listing.

12. Use of any parking permit acquired through fraudulent, or otherwise improper means, will be considered theft of services from the University of Central Arkansas. Hanging permits will be confiscated and parking privileges may be taken away.

II. Traffic and Parking Services Office

The University Police Department is located at the intersection of W.J. Sowder and Marian Ross Streets. The Department's Traffic and Parking Services Office is open for payment of traffic fines and purchase of parking permits between 8:00 a.m. and 4:00 p.m., Monday through Friday. All registered students *and employees* may obtain their parking permit at the University Police Department 24 hours a day except for registration and fee payment days. **Temporary parking permits and parking and traffic information can also be obtained at the University Police Communications Center 24 hours a day.** As a service to the university community, the Department's lobby and communications center is never closed.

III. Student Parking Permits

1. Students who park vehicles on campus are required to immediately obtain and display a parking permit. The parking permit consists of two vehicle decals which are registered in the name of the student. The larger decal must be displayed on the driver's side of the rear bumper or the lower left corner of the rear window and the small decal must be displayed on the driver's side, upper or lower corner, of the front windshield. Decals should be applied to a clean, dry surface, and must be permanently affixed to the vehicle through use of the decals' adhesive backing.

2. It is a violation for a decal to be taped or otherwise displayed from the vehicle interior by means other than the adhesive backing.

3. Students should obtain their parking permit at the University Police Department or such other place that may be designated on registration and university fee payment days.

4. Permits are the responsibility of the purchaser and must be removed prior to sale or transfer of the vehicle. Student permits are not transferable to any other vehicle. Only one current permit shall be displayed on a vehicle. A permit must not be altered or defaced.

5. A current permit expires the last day of summer school, or withdrawal by the student, whichever comes first.

6. A "Temporary Permit" may be obtained **24 hours a day** without cost from the University Police Department for any alternate vehicle brought to the campus for a period of one to seven

days. The permit is a

IX. Bicycles

Persons riding bicycles must obey all rules of the road established for motor vehicles. Bicycles shall be parked in racks provided on campus.

***Resident Parking (UCA Owned or Controlled apartments or houses other than residence halls)
and where appropriate UCA Housing will provide a second decal which must be displayed with the purple decal.***

UCA Permit Parking - Areas marked "UCA Permit Parking" are reserved for student or faculty/staff vehicles displaying current UCA permits.

Disabled Parking - Areas marked for disabled access are

or failure to cooperate with a University Police officer while the officer is performing his official duties, will subject the violator to arrest under applicable State statutes.

XIV. Parking Regulations

1. It is the driver's responsibility to find a legal, marked parking space and to park the entire vehicle within the space's boundary lines. Other improperly parked vehicles in the area shall not constitute an excuse for parking with any part of the vehicle over the line. m2018.i4111 19.5 0 allowed (base line 99.5

semester unless special circumstances are

1. No permit	25.00	25.00
2. Defacing, reproducing, altering or illegal use of permit	25.00	75.00
3. Falsifying registration information	50.00	75.00
4. Exceeding speed limit	25.00	40.00

The University Police Department maintains and promotes respect for the individual rights and dignity of all persons and is dedicated to excellence in all of the services that are offered on a year-round basis. The University Police are trained to understand the needs of students, faculty and staff. Police officers, equipped with two-way radios, patrol the campus by vehicle, foot and bicycle. Preventative patrols are also provided by campus service officers who are student aids and provide certain security functions. Arkansas law permits University Police officers to stop individuals suspected of criminal activity and question their identity, business and destination. In addition, University Police may make arrests or issue a summons for traffic or criminal violations which are referred to the City or County Prosecutor. All members of the campus community are encouraged to cooperate fully with police personnel for the safety and convenience of everyone involved. Resistance to detention or arrest may result in a more serious charge.

The University Police Department employs the philosophy of community policing within its jurisdiction. This philosophy is based upon the concept that police officers and the campus community as a whole can work together in creative ways to solve problems and prevent crimes. The primary focus of community policing is to foster positive interactions between the police, students, and staff. Comments or suggestions are always welcome by contacting the Chief of University Police at 450-3111.

HOW TO SUMMON ASSISTANCE

The University Police Department is located on campus between State and Hughes Hall. Persons needing EMERGENCY assistance at any time may call the University Police CommCenter by dialing 9-1-1 from any campus or residence hall telephone. General assistance can be obtained by calling 450-3111. Assistance can also be summoned by pushing the call button on any blue light emergency telephone located throughout the campus. The Dispatcher instantly knows the location of the caller and will ask what type of assistance is needed. The University Police Department's lobby is open 24-hours a day. The on-duty Dispatcher is available to assist at the lobby window. A local access telephone and a library of free crime prevention, safety and health brochures are also available in the lobby.

MOTORIST ASSISTANCE PROGRAM - MAP

...a service of the UCA Police Department

- Jump starting your car battery
- Unlocking your car
- Transportation to a local service station

The Motorist Assistance Program - MAP - is one of the services provided by the UCA Police Department. MAP is designed to provide assistance to students, faculty, staff and visitors experiencing vehicle problems while at the University.

If you need the services of MAP, call the UCA Police at 450-3111 or go to a blue light emergency telephone and push the button to talk to one of our dispatchers.

A police officer will be dispatched to your location and will be happy to assist you.

Women's Basketball Camps - Dr. John Smith presented the following item. Before discussion began, Dr. Smith congratulated the women's basketball coaching staff and team for their outstanding season. W

Arkansas law authorizes the Board of Trustees of state institutions of higher education to grant permission to employees of those institutions to conduct certain outside work for private compensation using campus facilities. The law further provides that352 Tw (staff) Tj 6 Tw (-) Tj 11.25 0 TD -0.

AND FOOD SERVICE CHARGES

Engineering 3/2 Articulation Agreement - UCA and UA Fayetteville - President Hardin presented the following item and responded to questions and comments from Board members. During discussion, at Dr. Stanton's request, President Hardin told the Board that UA Fayetteville representatives have stated that their best transfer students come from UCA.

Faculty and administrators in UCA's College of Natural Science and Mathematics, working with counterparts in the School of Engineering at the University of Arkansas Fayetteville have developed an explicit relationship between the two institutions for a 3/2 articulation agreement for engineering students. To achieve this agreement, faculty and administrators at both UCA and UAF contributed collectively to developing and supporting a curriculum alignment plan that provides the entering UCA pre-engineering student with a prescribed set of courses facilitating seamless entry into one of six specific engineering programs at UAF. With this agreement, a student who enters UCA without deficiencies and who follows the curriculum plan can complete the 3/2 program in five academic years and one summer and will, at the end of the program,

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Bond Issue - Mr. Paul McLendon presented the following item and responded to questions from Board members:

In accordance with the February 2003 Board action, the administration has prepared the following bond resolution to refund the 2003 item

the

WHEREAS, by Resolution adopted on May 7, 2001, the Board authorized the

May the

Early Retirement of 1965H and 1967A Bond Issues - Mr. Paul McLendon presented the following item and responded to questions from Board members:

The administration has reviewed the debt reserve requirements for all outstanding housing issues and has determined that sufficient funds are available to place an early call on the remaining bonds for the 1965 and 1967 housing issues and to maintain the reserve requirement for other housing issues.

The current rate of return that the trustee is receiving on the debt service reserve funds is less than 1.5% and the interest rate being paid on the remaining bonds is 3%. The early retirement of the bonds will release approximately \$186,000 in annual debt payments and provide financial flexibility as the University considers the purchase of the Mansard apartment complex.

For the fiscal year 2003-04 the University requests that the debt service budget for the 1965 and 1967 issues be transferred to improving the technology infrastructure of the residence halls. This improvement will allow the university to add the ports required to keep up with the inc9230vity918 Ttdel78

The university's Fringe Benefits Committee has reviewed and recommended expansion of the loan provision.

Following discussion the following resolution was ~~02954085759405753005069771e0250 TMD 94~~

Faculty Handbook Revisions:

FACULTY POLICIES, PROCEDURES, AND GUIDELINES

I. A. Academic Freedom

A faculty member is entitled to freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; research for pecuniary return, however, should be based upon an understanding with the university administration.

A faculty member is entitled to freedom in the classroom in discussing the subject material of the course, but care should be taken in introducing controversial matters that have no relation to the subject.

The university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When speaking or writing as a citizen, or when expressing views on professional matters, the teacher should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, the faculty member should remember that the public may judge the profession and the institution by the faculty member's utterances, and should make every effort to indicate that the faculty member is not a voice for the institution.

All grievances that fall within the parameters of academic freedom (as defined above) will be submitted to the Academic Freedom Committee for consideration. (See the provisions later in this *Faculty Handbook* setting for the time period in which to file such academic freedom grievances, and the procedure for their consideration by the Academic Freedom Committee.)

B. Governance

The University subscribes, in policy and practice, to high standards of shared governance, as more particularly set forth in this *Faculty Handbook*. The variety and complexity of

[no further changes in II. B.]

II. C. Faculty Personnel: Non-tenure-track

1. The university recognizes that there are specific and limited conditions that justify special appointment to non-tenure-track positions. Non-tenure-track faculty may be hired for circumstances including, but not limited to, those enumerated below:

a. To temporarily replace tenured or tenure-track faculty on sabbaticals, leaves of absence, or who are ill;

b. To meet temporary increases in enrollment;

c. For graduate assistants as part of their professional preparation;

d. To meet special programmatic needs of a department of the university. When a determination is made to increase the number of non-tenure track positions in a department the procedure shall be as follows. The decision to increase the number of non-tenure track positions in a department shall be made based upon the recommendation of the department chair to the dean of the college. This recommendation shall then be provided to the provost by the dean. If the provost concurs, the written recommendation of the provost shall be provided to the president with a copy also provided to the president of the Faculty Senate. The Faculty Senate shall have five (5) days in which to provide its written recommendation to the president. After receiving all comments under this provision, and the views of the Faculty Senate, the decision shall be made by the president in consultation with the provost.

e. For visiting professors; or

f. For contract researchers who do not engage in classroom instruction.

Faculty personnel selected to serve in specified non-tenure-track assignments may be appointed on either a semester or academic year basis. The appointment may be either for part-time or full-time work. Non-tenure-track appointments may be renewed on an annual basis.

2. The appointments of non-tenure-track faculty, like those of tenured

3. Non-tenure-track faculty may be appointed to tenured or tenure-track faculty status, in accordance

an initial one-year appointment terminates during an academic year, at least three months in advance of termination;

b. not later than December 15 of the second academic year of service; or, if the second year appointment terminates during an academic year, at least six months in advance of termination; and

c. at least twelve months before the expiration of an appointment after two or more years of service.

2.

The president shall receive the report and recommendations of the provost, and when applicable, the university tenure appeals committee and the university promotion appeals committee. The president makes the final decision on each applicant and reports all positive decisions to the board. The Board of Trustees confirms those recommended for tenure by the president. The board does not address cases in which tenure is denied by the president. The president also provides notification to each candidate

unsatisfactory performance of faculty duties, or demonstrated incompetence in teaching or research.

b. Professional Neglect: Substantial and manifest neglect of faculty responsibilities or duties, or substantial and manifest neglect of faculty responsibilities in teaching and research.

c. Misconduct: Misconduct is either "professional misconduct" or "personal misconduct." Professional misconduct is conduct that substantially impairs fulfillment of faculty obligations; repeated failure to comply with official written directives or established university policies; dishonesty in teaching or research. Personal misconduct is conduct that substantially impairs fulfillment of faculty obligations or conduct which has a substantial impact on the member's fitness to continue as a faculty member.

2. Determination of Adequate Cause for Termination

a. Professional Incompetence

In a case of professional incompetence of a tenured faculty member, and where the faculty member has not met the provisions of plans to rectify the deficiencies identified during review processes, the department chair will notify the faculty member, in writing (no later than October 1 during the fall semester or March 1 during the spring semester), that a recommendation for termination is forthcoming. The faculty member may contest the recommendation of termination by petitioning, in writing and within five (5) working days, the departmental tenure committee to review the record and the chair's determination. Failure to provide a written request within five (5) working days will result in forfeiture of review by the departmental tenure committee and the department chair will notify the dean, in writing, of the recommendation for termination.

In cases where the departmental tenure committee is convened to consider the determination by the department chair to recommend termination, the committee will review all relevant material and provide the chair and faculty member with a written evaluation and recommendation concerning the future status of the faculty member. Upon receipt of the evaluation and recommendation, the chair may reverse his/her determination. Otherwise, the chair will forward the committee's report and his/her recommendation to the dean. The dean will provide a written recommendation to the provost, with copies to the faculty member and chair.

b. Professional Neglect and Misconduct

In a cases of professional neglect or misconduct

recommendation from the dean, the Provost shall have five (5) days to make a recommendation to the President. The Provost shall meet with the faculty member informally in an attempt to reach an acceptable resolution of the issues involved.

b. If the Provost determines that the faculty member should be terminated and that formal termination proceedings should commence, the provost shall notify the faculty member, in writing. This written communication shall set forth the statement of grounds for the proposed termination. A copy of the statement of grounds shall be provided to the President.

c. If the faculty member requests it within five (5) working days after receipt of the statement of grounds, the matter shall be referred to the Faculty Hearing Committee for an informal, non-binding review. The failure of the faculty member to timely request the informal review shall result in a waiver of such informal review.

d. The informal, non-binding review shall not take more than ten (10) days. The Faculty Hearing Committee shall determine whether or not, in its view, formal proceedings shall be instituted to consider the individual's termination. It shall notify the President, the Provost and faculty member, in writing of its conclusion.

e. If the Faculty Hearing Committee recommends that formal termination proceedings should be commenced, or if the President determines that a formal termination proceeding should be commenced based upon the Provost's recommendation (notwithstanding the Faculty Hearing Committee's informal review), then formal termination proceedings shall be commenced according to the procedures which follow.

(1) ~~Statutorily determined~~ Determinations of cause in this *Faculty Handbook* that are not supported by the evidence.

(2) Decisions that are arbitrary and capricious. A decision is "arbitrary and capricious" when there is no rational basis for its support.

(3) Decisions that are based on reasons that are constitutionally or statutorily prohibited, such as the faculty member's age, gender, race, national origin, religion, or condition of disability.

f. In addition to the members of the

o. Not later than ten (10) days after receiving the committee's recommendation, the President shall make a decision and notify the faculty member, in writing.

6. Appeal to the University's Board of Trustees:

a. If the faculty member disagrees with the President's decision, the faculty member shall have a right of appeal to the University's Board of Trustees. In order to appeal the President's decision, the faculty member must provide written notice to the President of the appeal not later than five (5) days after the date of the President's decision.

b. In such event, the President shall transmit to the Board of Trustees the full report of the hearing committee, and state the President's reasons for the termination and his or her decision.

c. The review by the Board of Trustees shall be based on the record of the hearing before the Faculty Hearing Committee, the recommendation of the President and also provide the opportunity for an oral or written statement or presentation by the faculty member and a representative of the University. Any such oral presentations shall be made under conditions as the Board of Trustees may determine. The decision of the Board of Trustees on review shall be final. It shall be communicated to the President, and through the President, to the faculty member involved.

7. Terminal Compensation

a. In the event the faculty member is terminated for cause due to professional incompetence, the faculty member shall receive compensation for a period of twelve months from the date of the formal notice of termination proceedings. This terminal pay, however, is expressly conditioned upon the faculty member's continuing teaching and instruction for the University in the same capacity, if the University cause faculty member file 0 (Terminal CompenTc 0 (

b. Misconduct means either personal or professional misconduct that impairs fulfillment of faculty obligations; failure to comply with official written directives or established university policies; or dishonesty in teaching or professional endeavors.

2. Procedures for Termination: The procedures for the termination of a non-tenure track faculty member covered under this section shall be the same as that for tenured

2. The time to file a grievance or appeal under this section shall be not later than thirty (30) days after (a) the alleged violation or grievable matter has occurred, or (b) the grievant (in the exercise of due diligence) could have discovered the grievable matter occurred.

Notwithstanding the time period set forth, however, if other provisions of this *Faculty Handbook* set forth a specific deadline, then those deadlines shall apply.

Failure to file a grievance or appeal in a timely manner shall result in the dismissal of the grievance or appeal.

d

3. The grievant will submit to the university president a written statement, within the deadlines above, that will include the factual basis for the complaint, the individual(s) against whom the grievance is lodged, a reference to the provision of the *Faculty Handbook* that gives the committee jurisdiction, a reference to the university policies and procedures involved, and a statement of the relief sought.

d

4. The president will present to the committee a copy of the written statement of the grievant, and give to the committee a charge of its responsibility. The written statement of the grievant and all of the deliberations of the committee should be kept confidential.

5. Should the committee determine that the statement does not provide sufficient information or that, based upon the statement, the committee has no jurisdiction to hear the complaint, the complaint will be dismissed.

6. The appropriate committee shall be formed in accordance with the provisions of this *Faculty Handbook*. The committee shall be formed not later than ten (10) days after the formal written statement is received by the President. The grievant and persons who are the subject of the grievance shall both be notified of the members of the committee. During the pendency of the grievance or appeal neither the grievant nor the persons (s) subject to the grievance or appeal shall contact or otherwise communicate with the members of the committee.

8. After the committee considers the written complaint, the grievant and the person(s) charged with infringing the rights of the grievant will be invited to make written and oral presentations to the committee. The committee may solicit any and all necessary and relevant evidence it deems appropriate, written and oral, and shall accept documentation from both the grievant and person(s) charged with infringing the rights of the grievant, if offered. All responsibility for questioning witnesses, securing evidence, and determining the order of proof will be vested in the committee.

9. Strict judicial rules of evidence shall not apply.

10. The grievant and person(s) charged by the grievant may be accompanied by an advisor or attorney, but this person will only function in an advisory capacity. The advisor or attorney will not address the committee. The general counsel may also be present, but shall only act in an advisory capacity to the committee.

11. The grievant and person(s) charged by the grievant will have the right to be present at any time testimony is presented and to secure copies of all evidence considered by the committee. The grievant and person(s) charged by the grievant will not have the right to cross-examine witnesses.

12. A written record of the minutes of the proceedings and the recommendations of the committee will be presented to the president within forty-five (45) working days from the initial filing of the grievance with the president unless a longer period of time is needed due to unforeseen circumstances. An extension of the forty-five (45) day period must be approved by the president. For purposes of this paragraph, "working days" will mean any day during the fall or spring term in which the university is open for instruction.

13. A copy of the minutes and the recommendation of the committee will be presented to the grievant and the person(s) charged by the grievant.

14. The President's decision will be communicated, in writing, to both the grievant and persons charged by the grievant not later than ten (10) days after receipt of the committee's recommendation. No appeal shall lie from the President's decision.

XXII. Faculty Personnel File

It is the position of the university that when any written information or material concerning a faculty member is placed in such member's personnel file, the faculty member will be notified by the Office of the Provost. The notification shall be in writing, and shall include a copy of the information placed in the file. The faculty member will be provided with a period of twenty (20) days from the date of the written notice in which to respond to the provost, in writing, concerning the matter placed in the file.

UNIVERSITY STANDING COUNCILS AND COMMITTEES

Faculty Handbook Committee

There shall be a standing committee known as the Faculty Handbook Committee. The

committee shall be composed of (i) the Provost (or an Associate Provost designated by the Provost), (ii) the President of the Faculty Senate, and (iii) one tenured faculty member from each college of the University selected by the tenured faculty from such college. The Vice President for University Relations, the Director of Human Resources and the General Counsel of the University shall also be members of the Faculty Handbook Committee, but shall not have a vote.

The charge of the Faculty Handbook Committee shall be to (a) review the *Faculty Handbook*, (b) accept and consider suggestions for changes, and (c) recommend any revisions, modifications or amendments to the President. Suggestions for the improvement of the *Faculty Handbook* shall be made in writing and directed to the Office of the Provost. The committee shall meet in the month of January each year, and may meet at such other times as the Provost may determine. Each member shall be provided with reasonable advance written notice of the date, time and place of each meeting, and be provided with drafts of any proposed changes for consideration at the meeting. Any proposed revisions or amendments to this *Faculty Handbook* shall be voted upon by the committee. Such revisions or recommendations shall be forwarded to the Faculty Senate for its review and recommendations. The revisions and the advice of the Faculty Senate on such revisions shall then be forwarded to the President.

I. Reporting to President

I. Faculty Grievance Panel

3. Membership:

The panel will consist of two tenured faculty members from each college, elected for staggered two-year terms. Such persons shall not hold the position of dean, assistant dean, department chair, or comparable administrative position. Committees selected from the panel shall consist of five (5) persons.

a. Faculty
shall be selected by each college at the beginning of the fall term.

b. Persons
from the department of either the grievant or the person against whom the grievance is filed will be ineligible to serve on the committee.

EXECUTIVE SESSION

Executive session for the purpose of considering and discussing personnel matters, was unanimously declared upon motion by Mr. Sims with a second by Dr. Stanton.

OPEN SESSION

Open session was declared by Mr. Harding.

Dr. Stanton moved that the resolution regarding personnel matters and the personnel list be approved. Dr. Stanton also moved that Mr. Vance Strange be named UCA's director of athletics effective June 15, 2003. The motion was seconded by Mr. Sims and passed unanimously.

Mr. Harding congratulated Mr. Strange and welcomed him as director of athletics. At Mr. Harding's invitation, Mr. Strange addressed the Board and expressed his appreciation for the opportunity.

Following is the resolution regarding personnel matters mentioned above:

"BE IT RESOLVED: THAT THE BOARD OF TRUSTEES APPROVES THE FOLLOWING ADJUSTMENTS, ADJUSTMENTS FOR SUMMER