

The Board of Trustees of the University of Central Arkansas convened in regular meeting at 2:00 p.m., Friday, July 24, 2009, in the Board of Trustees Conference Room in Wingo Hall with the following officers and members present:

Chair: Mr. Rush Harding, III  
Vice Chair: Dr. Harold Chakales  
Secretary: Mr. Scott Roussel  
Mrs. Patricia Bassett  
Mrs. Kay Hinkle  
Mr. Bobby Reynolds  
Mr. Randy Sims

### **MINUTES**

The minutes of the May 8, May 14, June 5, June 11 and June 16 Board meetings were unanimously approved as submitted upon a motion by Randy Sims and a second by Patricia Bassett.

### **PRESIDENT'S REPORT**

President Meadors reported on the following items:

- The College of Business building is on schedule and within budget.
- At this time, the University has not borrowed against the line of credit.
- Cody Wilson, President of the Student Government Association, Josh Bramlett, Senior Class Representative, Dr. Lance Grahn and Art Lichtenstein addressed the Board regarding the purchase of the Web of Science database for the library. After a lengthy discussion, the Board asked President Meadors to discuss this project with the Faculty Senate and other involved parties and bring that information to the Board.

### **ACTION AGENDA**

#### **New Minor Program: Mandarin Chinese**

The Department of World Languages, Literatures, and Cultures in the College of Liberal Arts propose a minor in Mandarin Chinese, based on existing and proposed courses offered by the department. The university has sufficient existing facilities, equipment, and library resources. With one tenure-track faculty member and two instructors, sufficient staff exists to begin a minor. The minor will complement many of UCA's majors and, it is anticipated, will eventually be part of a China Studies major currently under development and to be proposed as enrollment increases in the next few years. The proposed minor requires 18 hours of Mandarin language courses at the 2000 level and higher.

The Chinese minor will allow more students to prepare for study abroad in China and strengthen UCA’s eligibility for federal funding for the study of critical languages. Currently the development of the Chinese language program at UCA is supported by a Title VI grant and by UCA’s Confucius Institute.

All appropriate university councils and administrators have recommended approval of the Minor in Mandarin Chinese. The following resolution was unanimously adopted upon motion by Scott Roussel with a second by Kay Hinkle:

**“BE IT RESOLVED: That the Board of Trustees hereby approves the Minor in Mandarin Chinese.”**

**“Collections Management Policy” (Board Policy No. 324)**

In May 2008, the Board of Trustees approved a Collections Management Policy to establish guidelines for acquisition, placement and maintenance of works of art. The policy included detailed statements and procedures. The administration believes that it would be appropriate for the Board to delegate the oversight of this policy to the administration. The administration will certainly adhere to the policy statements set forth in the original policy and commits to bring any issues related to the policy back to the Board as a notification item if the circumstances warrant such action.

The following resolution was unanimously adopted upon motion by Kay Hinkle with a second by Harold Chakales:

**“BE IT RESOLVED: That the Board of Trustees approves the following revisions to Board Policy No. 324, ‘Collections Management Policy’.”**

**UNIVERSITY OF CENTRAL ARKANSAS  
BOARD POLICY**

Policy Number: 324 Page 1 of 1

Subject: Collections Management Policy

Date Adopted: 05/08 Revised: 07/09

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The Board of Trustees authorizes the university’s administration to maintain a Collections Management Policy that details responsibilities and guidelines for the acquisition, placement, and maintenance of works of fine and decorative art on the University of Central Arkansas campus.

**“Grant Incentive Funding” (Board Policy No. 408)**

In May 2005, the Board approved a policy authorizing incentive payments to faculty and professional staff for seeking and obtaining extramural funding. Now that the policy has been in place for about four years, the administration has determined that some revisions are needed to clarify the policy.

The proposed revisions clarify the approval process for the award of incentive payments related to extramural funding, and ensure that incentive payments do not exceed the line item maximum amounts for salaries approved by the Arkansas General Assembly. Also included is a definitions section.

The following resolution was unanimously adopted upon motion by Randy Sims with a second by Patricia Bassett:

**“BE IT RESOLVED: That the Board of Trustees approves the following revisions to Board Policy No. 408, ‘Grant Incentive Program’.”**

**UNIVERSITY OF CENTRAL ARKANSAS  
BOARD POLICY**

Policy Number: 408

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Subject: Extramural Funding Incentive Program ~~Grant Incentive Program~~

Date Adopted: 5/05 Revised: 7/09

**Definitions:**

Department Head - The “department head” for purposes of this policy shall be the chair, dean, or other administrator responsible for direct supervision of the recipient.

Recipient - The “recipient” for purposes of this policy shall be a faculty member, professional staff member, or other eligible recipient as determined by the department head. “Faculty member” shall include those with administrative reassignment below the level of dean.

Extramural Funding - “Extramural funding” for purposes of this policy is funding received from a non-university entity for a specific program with specific deliverables.

Incentive - An “incentive” for purposes of this policy shall be any available state dollars used to pay a recipient outside the base pay. It is not payment for regular services, but rather a payment based on performance. Under no circumstances will the incentive payment come directly from extramural funds.

## Purpose:

~~The purpose of the Grant Incentive Funding is to encourage faculty and professional staff to seek external funding, which will enhance research and scholarship, enhance best practices in teaching/learning outcomes, and advance the mission of the university. The mechanism for doing so is to provide an annual incentive payment to faculty and staff who are effective in securing extramural funding that pays for a portion of their salaries.~~

The purpose of the Extramural Funding Incentive Program is to encourage recipients to seek external funding to enhance research, scholarship, and creativity; promote best practices in teaching/learning outcomes; and implement other program improvements that advance the mission of the University. The mechanism will provide periodic incentive payments to recipients who are effective in securing extramural funding.

## Associated Benefits:

- ~~▪ recruitment and job satisfaction of faculty and professional staff who can effectively compete for extramural funding~~
  - ~~▪ stimulation of scholarly activity associated with becoming grant competitive~~
  - ~~▪ salary incentives for successfully receiving a grant award~~
  - ~~▪ salary savings and facilities/administrative (formerly known as indirect) costs in departmental budgets through increased grant activity~~
- Recruitment and job satisfaction of faculty and professional staff who can effectively compete for extramural funding
  - Stimulation of scholarly activity by securing extramural funds
  - Monetary incentives for successfully receiving extramural awards

## Provisions:

~~To participate in the program, a faculty/professional staff member will include all or a part of his/her base UCA salary and fringe benefits in a new or renewal grant or contract budget. The incentive payment will be made to the faculty/professional staff member in accordance with the following policy criteria. Such payment(s) will be made either in a lump sum or in multiple payments over consecutive months in such a manner as to assure adherence to all prevailing laws and policies. The payment(s) will be subject to applicable withholding.~~

To participate in the program, a recipient must apply for and win extramural funds that reimburse the recipient for time and effort spent on extramurally sponsored projects. Incentives shall be paid from state monies in accordance with performance review processes. Such payment(s) will be distributed periodically in adherence to all prevailing laws and policies. The payment(s) will be subject to applicable withholding.

Program Criteria:

1. ~~An eligible recipient may be a faculty member (including those with administrative reassignment below the level of dean) or professional staff.~~
2. ~~The extramural funded salary must be for at least one month during the fiscal year for both 9 and 12-month appointments.~~
3. ~~The incentive payment will be calculated as 50% of the salary paid by grants during the fiscal year just ending, up to a maximum of 25% of the faculty/professional staff member's annual salary for 12-month appointments or academic year salary for 9-month appointments. Legislated line item maximum salaries may further limit the incentive payment. Such a limit will be identified at the time of the original request (see #5). Calculation of any incentive payment shall exclude the value of any fringe benefits. Any incentive payment made shall not modify the employee's base salary.~~
4. ~~The salary support must be derived from either (a) federally funded competitive research or training grants or contracts with facilities and administrative costs (also called indirect costs) or (b) grants from industry or foundations that pay appropriate facilities and administrative (indirect) costs. Only grants and contracts generating salary savings and the full amount of facilities and administrative costs allowable by the grant program qualify.~~
5. ~~A request by a faculty/professional staff member to seek an incentive payment under the policy must be submitted to the department chair or unit head during the same fiscal year that the salary savings occur. Approval by the department chair/unit head and next higher administrative level will be contingent upon meeting the criteria and purpose of the policy. The provost or appropriate vice president is responsible for the final approval.~~
6. ~~Salary support derived from extramural funds must fully pay all direct costs and the grant budget must include federally negotiated facilities and administrative (indirect) costs as allowed by the grant guidelines.~~
7. ~~The faculty/professional staff member must exhibit satisfactory performance in all assigned duties as determined by his or her chair/unit head and dean/vice president. Included is the responsibility of providing good fiscal and administrative management of all extramural funds for which he/she is principal investigator and completion of necessary reports in a timely and effective manner.~~
8. ~~Faculty/professional staff members who wish to take part in this incentive program must seek written approval in advance, as described above in #5. In addition, availability of any payments under this policy is subject to the availability of state appropriations, and to any applicable state or federal laws, regulations or policies.~~
9. ~~Modifications to any aspect of this policy may be implemented at any time, as determined by the provost. Such modification may occur through amendment of this policy or through written notice to the deans/heads of affected units.~~

~~10. Participation in the program is voluntary and is not mandated upon either the faculty/professional staff member or the university. Participation is contingent on available funding. The university reserves the right to suspend or terminate this program or the participation of any faculty/professional staff member at any time.~~

1. The provost and the vice president for administration shall together have the authority to implement the extramural incentive program in accordance with all applicable University policies and to make such changes to the implementation of the policy as may be necessary.
2. Recipients may request an amount equal to up to 25% of their state salary from available state funds as an incentive payment. The incentive payment is not part of regular pay from the 100% effort on all activities. State legislated line item maximum (LIM) limits on salaries may limit the incentive payment, so it is important that the department ensure that incentive calculations fall within state legislated LIM in all cases. An incentive payment shall not modify the employee's base salary.
3. Recipients who wish to take part in the incentive program must meet with their department head prior to submission of the application for extramural funding to examine the processes in place at UCA for incentive payments. The recipient and the department head will agree on performance measures and submit the request and pay percentages in writing to the next higher-level administrator. Department heads will ensure that UCA funds are available for agreed-upon performance measures. In addition, availability of any payments under this policy is subject to the availability of state appropriations and to any applicable state or federal laws, regulations, or policies.
4. A request by a recipient to seek an incentive payment under the policy must be submitted to the department head during the same fiscal year that the salary savings occur or when other sources of incentive pay are available. Approval by the department head and next higher administrative level will be contingent upon meeting the criteria and purpose of the policy.
5. The provost and the vice president for administration are responsible for final approval of any agreement under this policy. Approval must be obtained prior to submitting the grant.
6. The recipient must exhibit satisfactory performance in all assigned duties as determined by his/her department head and next higher administrator. Included is the responsibility of providing good fiscal and administrative management of all extramural funds for which he/she is principal investigator or project director and completion of necessary reports in a timely and effective manner.
7. Participation in the program is voluntary and is not mandated upon either the recipient or the university. Participation is always contingent on available state funding and the financial climate at the University. The University reserves the right to suspend or terminate this program or the participation of any recipient at any time.

**“Payroll Deductions – UCA Foundation” (Board Policy No. 508)**

In 1987, the Board of Trustees authorized payroll deductions for contributions from UCA employees to the UCA Foundation. The administration requests authorization from the Board for payroll deductions from UCA employees to the Bear Bucks program, a declining balance program similar to a prepaid credit/debit card. At the present time, those with Bear Bucks accounts may use their card at all campus food service venues, for copies and laser printing in Torreyson Library, at the UCA Bookstore, at Pizza Hut on Salem Rd, and at the Bear Den Gas Station on Dave Ward Dr. Additional merchants will be added to this list in the near future.

The following resolution was unanimously adopted upon motion by Scott Roussel with a second by Bobby Reynolds:

**“BE IT RESOLVED: That the Board of Trustees approves the following revisions to Board Policy No. 508, ‘Payroll Deduction – UCA Foundation’.”**

**UNIVERSITY OF CENTRAL ARKANSAS  
BOARD POLICY**

Policy Number: 508

Subject: Payroll Deductions –UCA Foundation

Page 1 of 1

Date Adopted: 2/87

Revised: \_\_\_\_\_

The Board of Trustees ~~directed the administration to permit~~ **authorizes** deductions from the payrolls of University employees for contributions to the University of Central Arkansas Foundation, Inc., **and for Bear Bucks, a declining balance program similar to a prepaid credit/debit card,** when authorized by University employees and so long as such deductions are authorized by the Arkansas General Assembly.

### **Right-of-Way and Easement to the City of Conway**

The City of Conway has requested that the university grant a right-of-way and easement to allow for the widening of Donaghey Avenue at Dave Ward Drive. This widening of the roadway will permit the city to establish two left turn lanes for traffic turning left off of Donaghey and heading east on Dave Ward and two lanes for traffic continuing south on Donaghey. The City also proposes completing the installation of a sidewalk running north and south along Donaghey. The current sidewalk running north to south on the west side of Donaghey stops at the Farris Fields complex. The easement document also grants a right-of-way for one half of the 80 foot right-of-way for Donaghey Avenue running north from the entrance to the Farris Fields complex that was previously thought to exist but for which the City could find no evidence.

The following resolution was unanimously adopted upon motion by Scott Roussel with a second by Kay Hinkle:

**"BE IT RESOLVED: That the Board of Trustees approves the following right-of-way and easement."**

Northwest Corner  
Donaghey – Dave Ward

## EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT University of Central Arkansas Board of Trustees for and in consideration of One Dollar, (\$1.00), and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, grant, bargain, sell and convey and warrant to the City of Conway, Arkansas, its successors and assigns forever an easement for road purposes along the Northwestern corner of the Donaghey Avenue – Dave Ward Drive (State Highway 60) Intersection in Conway, Arkansas being more particularly described as follows:

### LEGAL DESCRIPTION

A parcel of land across the being situated in the SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 14, T-5-N, R-14-W, Faulkner County, Arkansas, said parcel being more particularly described as follows:

Beginning at the Southeast corner of said SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 14 thence N02<sup>00</sup>'34"E, 147.95 feet along the east line of said SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 14 to a point on the existing northerly Right of Way Line of Dave Ward Drive and the Point of Beginning; thence continuing N02<sup>00</sup>'34"E, along the said east line of said SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 14, 587.123 feet; thence N87<sup>059</sup>'26"W, 40.00 feet; thence S02<sup>00</sup>'34"W along a line parallel to and 40 feet west of said east line of said SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , Section 14, 367.797 feet; thence S05<sup>026</sup>'45"W, 66.735 feet; thence S02<sup>00</sup>'34"W, 99.602 feet; thence S10<sup>026</sup>'50"W, 34.075; thence S02<sup>00</sup>'34"W, 75.391 feet; thence S16<sup>035</sup>'13"W, 14.86 feet to a point on the existing northerly right of way line of State Highway 60; thence N50<sup>050</sup>'20"E, 15.733 feet along said northerly right of way line; thence N02<sup>001</sup>'32"E, 60.00 feet continuing along said northerly right of way line; thence N87<sup>058</sup>'28"E, 40.85 to the Point of Beginning and containing 0.573 acres more or less.

Together with the rights, easements and privileges in or to said lands that may be required for the full enjoyment of the right herein granted.

TO HAVE AND TO HOLD the same unto the said City of Conway, Arkansas and to its successors and assigns forever.

AND I/We, hereby covenant with the said City of Conway, Arkansas that I/We will forever warrant and defend the title to said lands and property against the lawful claims of any and all persons whomsoever.

AND I/We, do hereby release and relinquish unto the said grantee all my right of dower or curtesy and homestead in and to said lands.

Witness my signature on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_(SIGNATURE)

\_\_\_\_\_(SIGNATURE)

### **Underwriting Services**

The university issued an RFP seeking proposals from vendors to provide underwriting services to the university. Four vendors responded to the RFP – Stephens Inc., Sterne Agee, Morgan Keegan, and Crews & Associates. After review and evaluation of the proposals by a review committee and by the UCA Purchasing Office, Crews & Associates will be awarded the contract for these services, if approved by the Board. Pursuant to Board Policy No. 201, the Board must review this matter because of Mr. Harding’s relationship with Crews & Associates. Under the terms of the policy, the following must occur: (a) the Board must determine whether the transaction was fair to the university at the time it was entered into; (b) understand the material facts of the transaction and the trustee’s interest therein; and, (c) a majority of the disinterested members of the Board must authorize, approve, or otherwise ratify the transaction during a public meeting, either regular or special. Further, the vote of the disinterested trustees must, in all events, constitute a majority of the membership of the Board.

The following resolution was unanimously adopted upon motion by Randy Sims with a second by Bobby Reynolds. Chairman Harding recused from the vote.

**“BE IT RESOLVED: That the Board of Trustees authorizes the university to enter into a contract with Crews & Associates for underwriting services;**

**BE IT FURTHER RESOLVED: That the Board of Trustees finds that it possesses the material facts of the transaction, is aware of Mr. Harding’s interest in the transaction, and finds that the transaction is fair to the university.”**

### **Contract Review Procedures (Board Policy No. 416)**

At its May 2009 meeting, the Board approved a policy establishing new contract review procedure. The Board made the new procedure effective July 1, 2009. In the course of implementing the new policy, the administration has determined that further refinement of one element of the policy is needed.

The policy requires that any contract exceeding one (1) fiscal year, regardless of the amount of the contract or whether the contract requires an exchange of monies, must be approved by the Board of Trustees. The administration has found that this requirement has created a hardship for some departments and wishes to make some adjustments to this provision of the policy. The administration requests that the Board delay implementation of this requirement so that it may propose modifications to the policy at the November meeting of the Board. All other provisions of the policy should remain in effect as of July 1, 2009.

The following resolution was unanimously adopted upon motion by Scott Roussel with a second by Patricia Bassett:

**“BE IT RESOLVED: That the Board of Trustees hereby delays the effective date of one provision of Board Policy No. 416, the provision that requires Board approval of all contracts exceeding one (1) fiscal year. All other requirements of the policy remain in effect as of July 1, 2009.”**

#### **EXECUTIVE SESSION**

Executive session, for the purpose of considering personnel matters, was unanimously declared upon motion by Randy Sims with a second by Kay Hinkle.

#### **OPEN SESSION**

Open session was unanimously declared upon motion by Kay Hinkle with a second by Bobby Reynolds.

The following resolution was unanimously adopted upon motion by Randy Sims with a second by Scott Roussel:

**“BE IT RESOLVED: That the Board of Trustees hereby approves the personnel list presented in executive session, provided however, that the administration is authorized to make corrections and changes of a clerical nature.”**

Upon motion by Kay Hinkle with a second by Scott Roussel, the Board unanimously voted to write a resolution in honor of Miss Arkansas 2009, Sarah Slocum, and present it to her at the November, 2009 Board meeting.

There being no further business to come before the Board, the meeting was adjourned upon motion and second.

**The University of Central  
Arkansas Board of Trustees**

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**Rush Harding, III  
Chair**

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**Scott Roussel  
Secretary**

