

The Board of Trustees of the University of Central Arkansas convened in a called meeting at 2:30 p.m., Friday, March 6, 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

### **ACTION AGENDA**

#### **I. Resolution Regarding Fee Waivers – Board Policy No. 623**

There is a need for clarification of the policy that sets forth the faculty/staff fee waiver, Board Policy No. 623.

By way of background, it is clear from minutes of Board meetings that the fee waiver discount has been available to faculty and staff and their dependents since the 1960s. The practice of offering a fee waiver as a fringe benefit for employees at institutions of higher education is widespread in Arkansas.

Additionally, from minutes of Board meetings in the 1960s and 1970s, at various times the fee waiver was available to dependents of board members. However, in the 1980s and 1990s the Board policy was amended many times without reference to whether the policy applied to dependents of Board members.

The current policy does not address the issue of whether the dependents of Board members are entitled to the fee waiver.

Chairman Harding said that the Trustees had received several memos from the public addressing this issue. Mr. Harding stated that Ms. Kathy Gattin was one of the people he heard from and he invited her to attend today's meeting. Harding further stated that her memo was very articulate and had helped him focus on this issue.

Chairman Harding called for a roll call vote and the following resolution was unanimously adopted, with Scott Roussel recusing, upon motion by Kay Hinkle with a second by Bobby Reynolds:

**"BE IT RESOLVED: That the Board of Trustees hereby affirms that university policy for the fee waiver/tuition discount applies only to faculty and staff as set forth in Board Policy No. 623.**

**BE IT FURTHER RESOLVED: That this shall be effective beginning with the summer 2009 term."**

**Series:** 600

**Policy Number:** 623

**Policy Name:** Fee Waiver - Employees

**Adoption Date:** 4/67

**Revision Date:** 6/67, 6/68, 11/68, 11/72, 3/73, 9/75, 1/77, 8/77, 6/83, 6/84, 12/85, 4/87, 8/91, 8/91, 4/95, 6/96, 2/97, 8/97, 5/98, 10/98, 5/00, 10/02, 8/03, 12/05, 5/08, 7/08

**Policy Text:**

### **Undergraduate and Graduate Registration Discount Program**

As referenced in IRC Sections 117(d) and 127, UCA has established a tuition remission program for eligible employees and their spouses and dependents. The purpose of this policy is to provide guidelines for use of the fee discount program. Registration discounts are designed to support the professional educational development of UCA employees and to provide an additional opportunity for the spouses and dependents of UCA employees to attain their individual educational goals.

Costs and eligibility will be based upon the registration fee schedule in place for the semester in which the initial enrollment occurs, subject to any overall registration guides or changes adopted by the Board of Trustees. The discount on required fees applies only to the Facility fee, Co-op fee, AAGE Test fee, Student Center fee, HPER fee, Athletic fee, Technology fee and Fine and Performing Arts fee. The discount will not apply to any future student-initiated fees. The discount may not be used in conjunction with other University fee reductions or discounts or with other University-sponsored tuition scholarships. The discount will not apply to study-abroad programs. However, the fee- waiver discount may be used in conjunction with state-funded scholarships (ADHE-administered scholarships) and/or with private scholarships and assistance

### **Eligibility and Restrictions**

Only courses taken for college credit qualify for the discount.

Eligibility is restricted to full-time, benefits-eligible employees and the spouses and dependent children of those employees. **Members of the Board of Trustees, their spouses and dependent children are not eligible for the fee waiver.**

The fee remission for employees, spouses, and dependent children will commence with the beginning of the next semester or term after the date of employment. For example, if an employee's hire date is October 1, their fee-remission privileges will begin at the start of the spring semester.

## **Employees**

During normally-assigned work hours, employees may take no more than six (6) credit hours in the fall and/or spring semesters and no more than three (3) credit hours during each summer term.

The first three (3) credit hours taken during assigned work hours will not require any leave time. If the employee so chooses, the employee may, during the fall and spring semesters, take an additional class of up to three (3) credit hours during his/her lunch period. Time-off for courses taken during normal work hours, including the lunch period, must be approved by the employee's supervisor and department manager. Efforts should be made to schedule courses at times that will least interfere with heavy seasonal work loads or exceptionally busy periods of the work day.

## **Children**

Children are defined as the unmarried children of benefits-eligible employees or the unmarried dependents for whom the employee is the legal guardian, who are under age 25 and who may be claimed as dependents for federal tax purposes by that employee. An employee may receive a fee waiver for a child meeting the aforementioned definition of children through and including the semester in which the child turns age 25.

## **Costs**

Employees, the spouses of employees, and/or the children of employees will pay an amount equal to twenty (20) percent of regular in-state registration and applicable eligible fees for undergraduate courses.

Employees will pay an amount equal to twenty (20) percent of the regular in-state registration and applicable eligible fees for graduate courses.

Graduate degree fee discounts are not available for spouses or children.

If an employee resigns or otherwise moves from benefits-eligible employment during a semester in which the employee, spouse and/or dependent discount is used, the employee must pay a prorated portion of the regular registration and fees represented by the period of time remaining in that semester.

## **Exceptions**

If an employee dies or becomes disabled (as determined by the University's disability insurer) during a semester in which the employee, a spouse or dependent is receiving the discount, the

disabled employee and/or the surviving spouse and/or dependent will continue their eligibility as if that employee was still eligible and with all other guidelines and restrictions remaining. Spouses and dependents who are not receiving the discount at the time of the employee's death or disability will be eligible for the discount for five (5) years from the date of death or disability.

### **Special Presidential Scholarship Program**

In recent months, questions have been raised about the discretionary scholarship fund. Generally, the discretionary scholarship fund has been used to fund two types of scholarships, performance-based scholarships that are awarded to members of a group or to individuals performing a specific service to the university and to individuals at the discretion of the president. The administration believes that clarification from the Board about the future of these scholarships is needed.

The administration recommends that the individual, non-performance-based scholarships be eliminated at the close of the spring 2009 term. If the Board approves this recommendation, no individual, non-performance-based scholarships will be issued in the future unless this Board approves a policy for the award of such scholarships.

The administration recommends that the performance-based scholarships be continued, that the budgeted amounts for performance-based scholarships be transferred to the appropriate administrative unit, and that these administrative units be permitted to manage these scholarships in the future.

The administration also recommends that it be charged with the responsibility of developing a plan for awarding discretionary scholarships that will identify the aggregate funding for such scholarships; establish criteria for the granting of such scholarships, including need-based criteria and merit considerations; and propose a method of administering such scholarship awards, probably by establishing a committee.

Chairman Harding called for a roll call vote and the following resolution was unanimously adopted, upon motion by Scott Roussel with a second by Randy Sims:

**“BE IT RESOLVED: That the Board of Trustees hereby determines no further discretionary scholarships will be awarded to any individual from the President’s Office after the spring 2009 term unless the Board approves a policy on this matter, and**

**BE IT FURTHER RESOLVED: That performance-based scholarships be continued and that the budgeted amounts for all performance-based scholarships be transferred to the appropriate administrative unit for purposes of future management of such scholarships, and**

**BE IT FURTHER RESOLVED: That in the near future the administration will present a plan to the Board of Trustees that will: (1) identify the aggregate funding level for discretionary scholarships; (2) establish criteria for the granting of such scholarships, whether need based, merit based, or some combination thereof; and (3) propose a method of administering said scholarship awards.”**

Chairman Harding thanked the Trustees for attending the called meeting. He felt the meeting was necessary in order to put these two issues behind us. He feels that these issues have been a distraction in our search for a president.

He also said that in the last conversation he had with Dr. Jeff Farris, the week he passed away, Dr. Farris said to him that this decision the Board of Trustees would make will be the most important decision that a Board of Trustees at the University of Central Arkansas has ever made.

Mr. Harding went on to say, “Instead of being distracted by some of the issues we have had to deal with in the last several weeks, I wanted to get this out of the way. I want this Board to focus on the future of this university and finding the right person to lead this institution. Thank you for your patience with me. Thank you for your willingness to be here for an unscheduled meeting.”

### **EXECUTIVE SESSION**

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

### **OPEN SESSION**

Open session was unanimously declared upon motion and second.

Chairman Harding stated that as a result of executive session there were issues pertaining to former President Lu Hardin’s contract to come before the Board. President Hardin has a lump sum payment in his contract. The total is \$670,162.35 and is to be paid on or before July 10, 2009. In addition, President Hardin has been paid monthly for FY 2008-09. He is scheduled to be paid \$101,437.68 for the months of March, April, May and June, 2009. Of that \$101,437.68, \$16,444.84 comes from the Foundation (private money) and \$84,992.84 is UCA’s share of the amount to be paid with public funds.

Of the money to be paid to Hardin for the months of March, April, May and June, 2009, \$4,111.21 is to be paid from the Foundation with private money each month, and \$21,248.21 is to be paid with public funds each month.

UCA will continue to provide Hardin health insurance until he is employed and has health benefits equal to what he has at UCA.

Harding said that he has talked with President Hardin and he has agreed to reduce his lump sum payment (\$670,162.35) by the amount of money that he is to be paid with public funds (\$84,992.84). Mr. Harding said that this was a very gracious and generous gesture on Hardin's part and, "he thanks him for his generous concession to allow us to get on with the future of UCA."

Chairman Harding called for a roll call vote and the following resolution was unanimously adopted, upon motion by Bobby Reynolds with a second by Scott Roussel:

**Subject to the approval of the UCA Foundation, a lump sum payment in the amount of \$585,169.51 is to be paid by the University of Central Arkansas Foundation to Lu Hardin on or before March 23, 2009 or by a date of mutual consent, with private funds. No public money will be used to buyout of his contract. UCA will continue to provide Lu Hardin health insurance until he is employed and has health benefits equal to those he receives from UCA.**

Chairman Harding recognized Senator Baker and thanked him for all he does for the university.

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**

