

**AGENDA**  
**ARKANSAS STATE UNIVERSITY**  
**BOARD OF TRUSTEES**  
**June 23, 2009**  
**3:00 p.m. Telephone Conference Call**  
**ASU System Office**

I. Call to Order  
Mrs. Florine Tousant Milligan, Vice Chair

II. Roll Call

\*III. Agenda

- Proposed ASU System Resolutions

- Resolution approving ASU System Freedom of Expression policy.

- Resolution approving ASU System Misconduct in Research policy.

- Proposed ASU-Jonesboro Resolution

- Resolution approving ASU-Jonesboro to increase academic standards for admission into undergraduate programs.

- Proposed ASU-Mountain Home Resolution

- Resolution approving ASU-Mountain Home to borrow a sum sufficient to complete Phase II of the Vada Sheid Community Development Center.

\*IV. Adjournment

\*Action Items

**Arkansas State University  
Board of Trustees  
June 23, 2009**

The Arkansas State University Board of Trustees met by conference call on Tuesday, June 23, 2009. The call originated from the conference room of the President's Office at MBC Plaza. Mrs. Florine Milligan, vice chair of the Board of Trustees, called the meeting to order at 3:04 p.m. A roll call confirmed the presence of the following board members: Mr. Mike Medlock, chair; Mr. Howard Slinkard, secretary; Mr. Ron Rhodes; and Mr. Mike Gibson. Members of the ASU staff and the media were present.

Mr. Medlock, who has been unable to attend board meetings since December 2008 due to illness, was warmly welcomed.

**ASU System Resolutions:**

- Resolution 09-24 approving the ASU System Freedom of Expression Policy.
- Resolution 09-26 approving the ASU System Misconduct in Research Policy.

The resolutions move policies from previous existence at the campus level into the system level.

Upon motion by Mr. Rhodes, second by Mr. Slinkard, Resolutions 09-24 and 09-26 were approved.

AYES: Medlock, Milligan, Slinkard, Rhodes, Gibson,

NAYS: None

**ASU-Jonesboro Resolution**

- Resolution 09-68 approving ASU-Jonesboro to increase academic standards for admission into undergraduate programs.

Dr. Wyatt said raising the standards will strengthen undergraduate admission programs for the Jonesboro campus. The increased standards are designed to provide for a better practice of assuring success for students once they are admitted to the university.

Mr. Slinkard commented that this is the first step in a process to aid students in achieving a positive outcome for their collegiate experience.

Upon motion by Mr. Gibson, second by Mr. Rhodes, Resolution 09-68 was approved.

AYES: Medlock, Milligan, Slinkard, Rhodes, Gibson,

NAYS: None

#### **ASU-Mountain Home Resolution**

- Resolution 09-69 approving ASU-Mountain Home to borrow a sum sufficient to complete Phase II of the Vada Sheid Community Development Center.

Funds are necessary to complete the facility, Dr. Wyatt said. A plan has been developed and defined with area financial institutions to obtain those funds. If approved by the board, the proposal must then go to the Arkansas Department of Higher Education for approval.

Upon motion by Mr. Slinkard, second by Mr. Gibson, Resolutions 09-69 was approved.

AYES: Medlock, Milligan, Slinkard, Rhodes, Gibson,

AYS: None

Upon motion by Mr. Rhodes, second by Mr. Slinkard, the meeting adjourned at 10:19 a.m.

AYES: Medlock, Milligan, Slinkard, Rhodes, Gibson,

NAYS: None



Howard L. Slinkard, Secretary



Florine Tousant Milligan, Vice Chair

**EXECUTIVE SUMMARY**

Contact: Leslie Wyatt (870) 933-7900

**ACTION ITEM:** The Arkansas State University System requests approval of a Freedom of Expression Policy.

**ISSUE:** The Board of Trustees must approve all system policies.

**BACKGROUND:**

- Arkansas State University System is committed to affording each member of the university community the opportunity to engage in peaceful and orderly expressions of free speech.
- In exercising First Amendment rights, participants must not disrupt the operation of the university nor interfere with its essential mission of education.
- Free expression opportunities will be provided on an equal basis and adhere to the basic principle that the system will remain neutral as to the content of any expressive demonstration.
- Arkansas State University has strictly protected the use of its campuses and has not opened its campuses as public forums; therefore, in order to afford the university community the opportunity for free expression, while at the same time ensuring that the institution fulfills its educational mission, the university has the responsibility to regulate the time, place, and manner of expression.
- Through such time, place, and manner regulations, equal opportunity for all persons can be assured; order within the university community can be preserved; university property can be protected; and a secure environment for individuals to exercise freedom of expression can be provided.
- Commercial sales or solicitations by off-campus organizations are not allowed to be conducted on any campus as such activities interfere with the educational mission of the university; intrude on the non-coercive and tranquil educational and work environment; usurp the use of university property for private business enterprises; risk injury and damage to persons and property; disrupt vehicular or pedestrian traffic; invade the privacy of faculty, staff, students, and visitors; promote a commercial rather than educational atmosphere; pose significant risk of exploitation or fraud; and transform the campus into a commercial market rather than a marketplace of educational ideas.

**EXECUTIVE SUMMARY**

Contact: Leslie Wyatt (870) 933-7900

- Each campus shall establish procedures to govern freedom of expression by faculty, staff, students, student organizations, and visitors consistent with the System Freedom of Expression Policy which is attached to this resolution.

**RECOMMENDATION/RESOLUTION:**

Be it resolved that the Arkansas State University System Freedom Expression Policy is approved effective immediately.



Howard L. Slinkard, Secretary



Florine Tousant Milligan, Vice Chair

# ASU System Policy

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**Effective Date: June 23, 2009**

**Subject: Freedom of Expression**

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## **1. Purpose**

The Arkansas State University System recognizes and protects the First Amendment guarantees of freedom of speech, freedom of expression, and the right to assemble peaceably.

## **2. Arkansas State University System Freedom of Expression Policy**

Arkansas State University System has strictly protected the use of its campuses and has not opened its campuses as public forums. Arkansas State University will afford each member of the university community the opportunity to engage in peaceful and orderly protests and demonstrations; however, these activities must not disrupt the operation of the university. Such opportunities will be provided on an equal basis and adhere to the basic principle that the university will remain neutral as to the content of any public demonstration. In order to achieve this objective, while at the same time ensuring that the institution fulfills its educational mission, the university has the responsibility to regulate the time, place and manner of expression. Through such regulation, equal opportunity for all persons can be assured; order within the university community can be preserved; university property can be protected; and a secure environment for individuals to exercise freedom of expression can be provided.

## **3. Process**

Each campus shall establish procedures to govern Freedom of Expression by faculty, staff, students, student organizations, and visitors in the following areas:

### **A. Speeches and Demonstrations**

Each campus shall designate (1) Free Expression Areas for speeches and demonstrations, (2) times available for use of the Free Expression Areas, and (3) the method for scheduling use of the Free Expression Areas. Should any individual or group desire the use of other areas of the campus and other times for speeches and demonstrations, a request must be made to the vice chancellor responsible for student affairs (or

designee) at least 72 hours in advance of the event. Such plans will be considered in accordance with the principle of content neutrality.

**B. Distribution of Written Material**

Each campus shall designate (1) areas where non-commercial pamphlets, handbills, circulars, newspaper, magazines and other written materials may be distributed on a person-to-person basis; (2) times available for distribution of non-commercial materials; and (3) the method for scheduling use of areas for distribution of non-commercial materials.

The university maintains a position of neutrality as to the content of any written material distributed under this policy.

The distribution or posting of commercial advertising is prohibited in free expression areas. Each campus shall designate locations where any person or entity may post or display commercial advertising. Posting or displaying of commercial advertising shall be allowed only in the designated locations. Off-campus organizations are not allowed to conduct or solicit commercial sales or distribute commercial pamphlets, handbills, circulars, newspaper, magazines and other written materials on any campus. Parties having a contract with the university authorizing commercial advertising shall be allowed to distribute or post commercial materials in accordance with the terms of their contract.

**C. Marches**

Each campus shall designate (1) areas where marches may take place on streets and sidewalks of the campus, (2) times available for use of the streets and sidewalks for marches, and (3) the method for scheduling the use of streets and sidewalks for marches. In order to ensure the safety of all individuals, the vice chancellor responsible for student affairs (or designee) must approve plans for an event of this nature at least 72 hours in advance.

**D. Time, Place, and Manner Restrictions**

In order that persons exercising their freedom of expression not interfere with the operation of the university or the rights of others, reasonable limitations may be placed on the time, place and manner of speeches, demonstrations, distribution of written material, and marches in order to serve the interests of health and safety, prevent disruption of the process, and protect against invading the rights of others. Each campus shall designate any time, place, and manner restrictions specific to that campus.

(Adopted by the Arkansas State University Board of Trustees on June 23, 2009, Resolution 09-24, supercedes the Freedom of Expression Policy of December 18, 1998.)



**EXECUTIVE SUMMARY**

Contact: Leslie Wyatt (870) 933-7900

**ACTION ITEM:** The Arkansas State University System requests approval of a Misconduct in Research Policy.

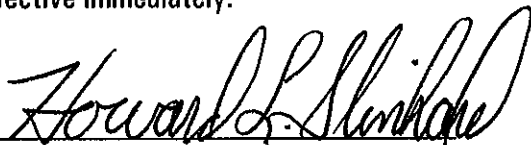
**ISSUE:** The Board of Trustees must approve all system policies.

**BACKGROUND:**

- Misconduct in university research is not tolerated in the Arkansas State University System.
- Organizations such as the National Science Foundation and the Public Health Services have issued directives requiring institutions to establish procedures for inquiry into and investigation of alleged or apparent misconduct in research.
- A system policy is needed to ensure consistent procedures for investigation of misconduct in research among all campuses.
- The Arkansas State University System Misconduct in Research Policy supercedes the Misconduct in Research Policy adopted by the Board of Trustees on October 11, 1990, and revised and adopted by the Board of Trustees on December 16, 1992.
- A copy of the Arkansas State University System Misconduct in Research Policy is attached to this resolution.

**RECOMMENDATION/RESOLUTION:**

Be it resolved that the Arkansas State University System Misconduct in Research Policy is approved effective immediately.



Howard L. Slinkard, Secretary



Florine Tousant Milligan, Vice Chair

# ASU System Policy

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**Effective Date: June 23, 2009**

**Subject: Misconduct in Research**

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## 1. Purpose

In recent years, well-publicized cases of misconduct in university research, including fabrication of results, plagiarism, and misrepresentation of findings have aroused concern among research institutions, individual investigators, sponsors of research, professional societies, and the general public. Although verified instances of such dishonest behavior are relatively rare, they raise serious questions about the integrity of the research process and the stewardship of public and private research funds. Institutions of higher education, in particular, enjoy a centuries-old tradition of integrity and objectivity, and cases of dishonesty in research by members of the university community must be dealt with carefully and thoroughly if the institution is to merit continued public confidence and trust.

The National Science Foundation and the Public Health Services have issued directives requiring awarding institutions to establish procedures for inquiry into, and investigation of, alleged or apparent misconduct in scientific research conducted, funded, or regulated by these agencies. Accordingly, the following policy is established to apply to all instances of alleged or apparent misconduct in research conducted at any campus of the Arkansas State University System.

The policy applies to all research conducted by faculty, staff members, or students of Arkansas State University System.

## 2. Definitions

For the purpose of this policy, the following definitions will be employed:

**Misconduct.** Misconduct is defined as: (1) fabrication, falsification, plagiarism, or other serious deviation from accepted practices in proposing, conducting, or reporting the results of research, (2) material failure to comply with university or sponsoring agency requirements affecting the conduct of research, including the protection of human subjects and the care of laboratory animals, or (3) failure to meet other material legal requirements governing research activities.

**Inquiry.** An inquiry is an informal review of an allegation of misconduct in research for the purpose of determining whether there is reasonable cause to believe that a university employee or student has engaged in such misconduct.

**Investigation.** An investigation is an in-depth review of an allegation of misconduct in research for the purpose of determining whether or not a university employee or student has engaged in such misconduct.

### **3. Arkansas State University System Misconduct in Research Policy**

The Arkansas State University System will act vigorously to discourage and detect misconduct in research; will take appropriate disciplinary action against any of its employees or students who engage in such misconduct, as revealed by a careful investigation; and will inform and cooperate with those agencies sponsoring research that appear likely to have been affected by such misconduct.

Any individual who believes that he or she has knowledge of an act of misconduct in research by an Arkansas State University employee or student is responsible for communicating this information to the coordinator of organized research for that campus. The coordinator of organized research will conduct a timely inquiry to determine whether or not there is reasonable cause to believe that the alleged act(s) of misconduct in research did, indeed, occur. This inquiry will be conducted with the assistance of a panel of at least five (5) full-time university employees, including at least three (3) members having appropriate knowledge in the type of research under investigation. Every effort will be made to conduct the inquiry in confidence, within the legal requirements to which the university is subject. The complete results of the inquiry will be reported to the vice chancellor responsible for research.

If, as a result of the inquiry, it appears that there is reasonable cause to believe that an act of misconduct in research took place, the university will promptly notify the agency sponsoring the research in question, if applicable, and will conduct a full investigation. The full investigation will afford the rights of due process and appeal for the individual believed to have engaged in the act of misconduct. The full investigation will be initiated by the vice chancellor responsible for research.

If, as a result of the investigation, it is concluded that the allegation of misconduct in research is unfounded, the university will take reasonable steps to restore the reputation(s) of individual(s) under investigation. It also will take all appropriate actions to protect the individual(s) reporting the alleged misconduct from reprisal. If the investigation shows that these allegations were frivolous or malicious, the individual reporting the alleged misconduct will be subject to appropriate discipline.

(Adopted by the Arkansas State University Board of Trustees on June 23, 2009, Resolution 09-26, supercedes the Misconduct in Research Policy of October 11, 1990, and revisions of December 16, 1992.)

**EXECUTIVE SUMMARY**

Contact: Dan Howard (870) 972-2030

**ACTION ITEM:** Arkansas State University-Jonesboro (ASUJ) requests approval to increase academic standards for admission into undergraduate programs.

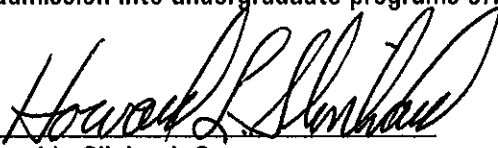
**ISSUE:** The Board of Trustees must approve admission standards.

**BACKGROUND:**

- Success in higher education is directly related to higher ACT scores and higher cumulative grade point averages.
- Increasing admission standards for undergraduate students at ASUJ will contribute to higher student retention and graduation rates.
- The State of Arkansas emphasizes student retention and graduation rates as a measure of performance of institutions of higher education.
- Proposed higher admission standards to undergraduate programs have been reviewed and received favorably through the shared governance process at ASUJ.
- Higher standards for admission to undergraduate academic programs, combined with higher retention and graduation rates, will allow ASUJ to recruit more well-qualified students.
- Prospective students who do not meet the proposed admissions standards will be encouraged to apply to the two year institutions within the ASU System for initial course work before transferring to ASUJ to complete their undergraduate degree.
- These admission standards apply to U.S. citizens and permanent residents only with parallel admission requirements for international students.
- A copy of the admission standards which will be effective for the fall semester 2010 for the ASUJ campus is attached to this resolution.

**RECOMMENDATION/RESOLUTION:**

Be it resolved that the Arkansas State University-Jonesboro is approved to increase academic standards for admission into undergraduate programs effective fall semester 2010.

  
Howard L. Slinkard, Secretary

  
Florine Tousant Milligan, Vice Chair

**ACADEMIC STANDARDS FOR ADMISSION INTO  
ARKANSAS STATE UNIVERSITY-JONESBORO UNDERGRADUATE PROGRAMS  
EFFECTIVE FALL SEMESTER 2010**

- 1. Students may be admitted on a conditional basis with a minimum high school cumulative grade point average of 2.2 on a 4.0 scale and a minimum composite ACT score of 14. Students admitted on a conditional basis must enter the Academic Success Institute and receive passing grades before they may progress into regular academic programs at ASUJ.**
  
- 2. Students may be admitted on an unconditional basis with a minimum high school cumulative grade point average of 2.5 on a 4.0 scale and a minimum composite ACT score of 17.**

**EXECUTIVE SUMMARY**

Contact: Ed Coulter (870) 508-6100

**ACTION ITEM:** Arkansas State University-Mountain Home (ASUMH) requests approval to borrow a sum sufficient to complete Phase II of the Vada Sheid Community Development Center.

**ISSUE:** The Board of Trustees must approve all requests for financing for the campuses.

**BACKGROUND:**

- ASUMH is constructing the Vada Sheid Community Development Center which will contain an auditorium, convention center, great hall/art gallery, catering kitchen, library, and outdoor amphitheater.
- Nabholtz Construction is in on site building Phase I of the project consisting of the building shell and landscaping. Phase I has been fully funded.
- Phase II of the project will complete the shell spaces in the auditorium, great hall/art gallery, and conference rooms.
- It would be advantageous for ASUMH to keep the contractor on site continuing to work on the project if additional funding can be made available to complete Phase II. If the contractor left the site and had to return at a future time, the cost of general conditions would double.
- ASUMH would like to borrow from local banks an amount of \$2.5 million to continue the construction with Nabholz on Phase II of the project.
- Phase III consisting of the library, undesignated space, and convention center will remain as shell space to be completed at a later date as funds become available.
- The \$2.5 million loan would not exceed 20 years at an average interest rate not to exceed 5.50%. The loan is being secured from a group of local banks.

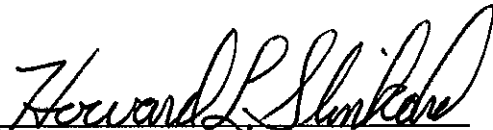
**EXECUTIVE SUMMARY**

Contact: Ed Coulter (870) 508-6100

- The project debt service is estimated to be from \$185,000 to \$210,000 per annum. The maintenance costs for the facility are estimated at \$3.85 per square foot, or \$250,000 total per annum. The source of funds for the debt service is tuition and fees and local millage, and the source of funds to maintain the building is facility usage income, private gifts, and grants.
- ASUMH has calculated the additional debt to be added on to the existing debt and the total debt is at 24.6% of tuition, fees, and millage taxes annually. The Arkansas Higher Education Coordinating Board requires that the annual debt service not exceed 25% of tuition, fees, and millage taxes for ASUMH.
- This loan information must be sent to Arkansas Department of Higher Education (ADHE) for approval after the Board of Trustees adopts this resolution. The next regularly scheduled ADHE meeting is July 31, 2009.

**RECOMMENDATION/RESOLUTION:**

Be it resolved that Arkansas State University-Mountain Home is approved to borrow \$2.5 million for the purpose of completing Phase II of the Vada Sheid Community Development Center under the conditions set out in this resolution.



Howard L. Slinkard, Secretary



Florine Tousant Milligan, Vice Chair