

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

Faculty Senate Meeting

Friday, September 21, 2007, 1:00 p.m.

Donaghey Student Center A & B

MINUTES

Present: CAHSS—Amrhein, Anson, Bunch, Chadwick, Cheatham, Dhonau, English, Eshleman, Estes, Levernier, Ramsey, Vinikas. CB— Brice, Holland, Watts, Nickels. CE— Barrett, Garner, Kushner, Lindsay. CEIT—Patangia, Tschumi. LAW—Foster. LIBRARY—Watkins. CPS—Faust, Montague, Turturro. CSM— Douglas, Chen, Sweeney (*alt.*) for Davis, Kosmatov, Perkins, Sims, Tarasenko, Yanoviak. EX OFFICIO— Belcher, Ford, , Garrett, Williams.

Absent: CAHSS— Smith. CB— Edison). CE— Moley. CEIT — Bayrak, Jovanovich, Trammel, Wright. LAW— Aiyetoro, Fitzhugh. CPS— Gregg, Robertson, Robinson. CSM— Elsalloukh, Rurup. EX OFFICIO— Anderson, Bates.

I. Welcome and roll call

President Ford declared it to be 1:00 p.m., and called the meeting to order. He welcomed the Senate to the 2007-08 academic year, and acknowledged gains in Senate representation in several colleges. He asked that senators respond to the calling of their names in the roll with the department in which they serve. The secretary called the roll, acknowledging those returning senators whose terms expire at the end of 2008, and those newly elected, whose terms expire in 2009..

II. Review of minutes

The minutes of the April 20, 2007, meeting were reviewed. Motion and second to accept the minutes. **Motion carried on voice vote.**

III. Announcements

President Ford had two:

He presented senators with a paper copy of the new committee lists for the academic year. He observed that the lists are in a new format so that the committee charges appear with the list of appointed, elected, and ex officio members, and thanked the secretary for her assistance in formatting and creating it. He asked that senators look through them, informing or reminding themselves of what these committees are supposed to do. The Senate, he said, works through committees, after all. He announced his intent to send an electronic copy of the committee lists to the entire faculty of the University.

Secondly, the president said he had taken the liberty of printing the chancellor's recently e-mailed letter to the Senate and the Assembly earlier.

The chancellor, Ford said, is suggesting a new paradigm for thinking about how we move students toward degrees, has given us a new idea to work with, and is inviting us to look at how we can do things in new and sound ways that will further this purpose. Ford asked that next month there be a lively discussion of these matters. In the meantime, senators who are particularly interested in these issues should contact him, and he will compile a list of those willing to work on them.

IV. Elections

President Ford announced that the floor was open for nominations of two academic administrators below the rank of dean to the Faculty Appeals Council. **Tschumi moved the nomination of Tom Lynch, and Sims seconded. Sims. Anson moved the nomination of Charlie Bolton, and Vinikas seconded. Ramsey moved the nomination of Rob Ulmer, and English seconded.** Discussion ensued about the willingness to serve of all nominees. Tschumi observed that Lynch is willing to serve though he expressed some hope that he might not, since he is already committed to a couple of significant University-service obligations.

Ramsey moved the election by acclamation of Bolton and Ulmer, with Lynch to serve should Bolton be unwilling, and Tschumi seconded. Anson, upon being asked if he'd like to make a campaign speech on behalf of Prof. Bolton, paused a moment, and said, "He'd be really good at the job." English noted that Ulmer is an excellent candidate given his professional expertise in conflict resolution, not to mention his being an excellent golfer. **Motion passed by unanimous voice vote.**

V. Reports

Report from the provost

The provost noted that enrollment this fall passed the 12,000 mark for the first time since 1993. He suggested this is particularly significant in light of two developments this past year: we tightened our admission standards, and we decided not to let students to register unless they had all their documents submitted. The latter process ruled out our usual "conditional" students, of which there would have been 400 this year. The provost gratefully acknowledged many people's contributions, including Charles Donaldson's shop and the faculty, "who have owned recruitment and retention issues like never before."

The chancellor at the opening meeting of the Assembly gave a charge to the provost and Vice Chancellor Donaldson to come up with a set of priorities we can target within the year to improve our retention and graduation rates. There are both philosophical and practical reasons for doing this. The state would clearly realize gains—and Gov. Beebe has taken up Sen. Bisbee's failed proposal in the 2007 session of the General Assembly that funding allocations would in the future be based on retention and graduation rates. Everyone believes the governor will be successful in this effort, so in coming years we may not depend on 11th day enrollment but on students completing courses each semester.

The provost asked that if senators have ideas about what we ought to be doing this year, they e-mail him with them. One thing he's passionate about

is being sure we have available seats in the developmental courses our students need. Presently, many are having to wait, and wind up taking Western Civ when they're struggling to read and write like college students. The faculty, the provost noted, has already said through legislation that we want those developmental courses available to every student who needs them, but we haven't yet managed to accomplish it. The provost intends for us to.

He moved on to "everybody's favorite topic: textbook legislation." Of the ten pieces of textbook legislation introduced in the last session, five passed. This matter is on the Senate's agenda later for discussion and decisions, but he wanted to take advantage of his report to fill us in on them: Act 1205 has to do with bookstores, basically, so we won't see a draft university policy on that. We must act on policies to respond to the requirements of Acts 105 and 106, 175, and 277. This summer, the provost's office worked to draft some policies for the Senate to grapple with. It was tough. The provost has been in constant contact with—the phrase may have been "joined at the hip"—with UA System counsel Mark Hagemeyer.

Belcher is particularly concerned about timing in connection with Act 175, which mandates that lists be published of textbooks required for every course in this and every other university in the state by November 1. We will publish such a list on our website, and so have set an internal deadline of October 15 for the names of required textbooks to be submitted. If a faculty member misses the deadline (November 1 for spring and April 1 for all textbooks for summer and the following fall) and doesn't submit his or her required-textbook information, the provost said, "it's not like you'll have to go to jail, but you *will* have to file a form indicating why you didn't, and it has to be signed off on by your department chair and your dean and forwarded to me." Someone commented that jail perhaps didn't sound so bad.

Q.: Does this include only books students have to purchase at the bookstore? A.: No. The law encompasses all required course materials, such as e-packs, lab manuals provided by departments, whatever. Q.: Even if they're handed out in class or posted on WebCT? A.: Belcher referred to Hagemeyer, who said he believes, without the act in front of him, that it refers only to materials that must be purchased.

The provost thanked the faculty for their willingness to work at finding the best possible approaches to what we all clearly believe is bad public policy.

Report on food service from Associate Vice Chancellor Preston Slayden

President Ford asked Slayden to come address the Senate following some concerned discussion last spring about campus food service. Associate Vice Chancellor Slayden serves as the contract administrator for Aramark. With him were Bob Wolfe, of Aramark; Logan Hampton, coordinator of the Donaghey Student Center; and Brenda Thomas, manager of the bookstore.

Slayden gave a little history of dining services at UALR, beginning in the '60s with a kitchen—*our* kitchen, baking great cookies and taking care of everybody. By the late '60s, the service was contracted out. In 1976, under Chancellor Ross, the first part of what became the Donaghey Student Center was built, with designated space for faculty dining. In 1993, we opened the

rest of this facility though it remained empty for a time. PFM, later Chartwells, invested \$800K to get the dining services contract.

Our pattern of contracting is a two-year contract, renewable in five one-year increments. When Chartwell's seven years came up in 2005, we went out for bids. A broad-based fourteen-person committee composed of faculty, administrators, presidents of Staff Senate, Faculty Senate, and Student Government Association, and the largest on-campus users of catering services considered the five bids that were submitted. After twenty years and an \$800K investment, Chartwell was gone.

Aramark stepped in beginning in '05-06. They agreed to a \$336K investment over five years which got us the coffee shop we wanted, along with Taco Bell, and Quizno's, and the satellite food service locations around campus. Slayden attributed the decision to "you, the faculty, who wanted a change and something new."

Slayden observed they have now opened meeting room G, which will have the newest of technologies, an external entrance toward Stabler Hall, and a "special dining experience."

This is the start of the third year of Aramark's contract, and they have lost \$695.5K so far. Slayden believes they can reduce this year's loss to to \$100K. They hope to turn the tide soon. He reports they have had continued growth in sales. Ours, he pointed out, is a "difficult account because we don't require you to have a meal plan, and it's missed meals on meal plans that make food services profitable." Thus, these are exclusive contracts, in that exclusivity helps counter some of the less profitable features of the business, and recognizes that it takes investment in order to generate profit.

He shared some of the survey data Aramark has collected, comparing national satisfaction levels with campus food services and UALR averages. Our satisfaction levels are consistently at or above the national averages.

Slayden said he understands that in the food service business, you're only as good as your last meal. He encouraged senators, when there is a problem with Aramark, to try to resolve it at the lowest level. Failing that, we should contact Bob Wolfe first, and then Slayden as contract administrator, before bumping it further upstairs.

President Ford called for questions or comments by the Senate. None was raised.

Report from Lucien Shockey

President Ford noted that Shockey was not present. He had wanted to introduce for review and discussion a draft conflict of interest policy for the university, hoping to earn the Faculty Senate's endorsement.

V. Old Business

MOTION: Executive Committee (Recommendation; requires majority vote at one meeting):

The Faculty Senate recommends the adoption of attachment A as the policies for guiding the faculty excellence awards program.

Cheatham presented a revised set of guidelines for Faculty Excellence Awards. Williams moved to amend the document by striking the sentence

“Particularly significant accomplishments before the last five years may be referenced” from the section headed “Letter of nomination,” and changing the word *should* to *may* in subparagraph 10 following the heading “Biographical Data”, and Anson seconded.

Ford reminded the Senate of the process up until now: that the chancellor had requested the Senate’s review of and recommendations for improving the guidelines and processes in connection with the awards in light of comments he had received over the years from outside reviewers. A working group was appointed last year, and they brought forward a report with a number of options delineated and without recommendations for specific choices. The Senate in April asked that the Executive Committee come back this month with a firmer draft.

Williams spoke to his motion to amend the draft. He said the executive committee of the Senate agreed, jointly if not unanimously, to a five-year timeframe for the awards. Williams believes both that there may be circumstances in which a nominee’s achievements over a period longer than five years might be entirely relevant, and that in any case, we are unlikely by this policy to keep nominators or endorsers from mentioning significant achievements outside the five years. His motion to amend represents a bit of a compromise, by striking the narrower reference in section about nomination letters while leaving the more permissive “may” in reference to presenting information about the nominee’s accomplishments in another section of the application.

Vinikas asked about the rationale for the five-year period rather than, say, ten or none.

The amendment passed on voice vote.

The main motion passed on voice vote.

VI. New Business

MOTION: Executive Committee (Legislation. Requires majority vote at one meeting.)

In light of Arkansas Acts 105, 106, and 277 passed in the last session of the Arkansas General Assembly, the UALR Faculty Senate authorizes the Provost to articulate and implement policies relevant to these acts on an interim basis until the Senate adopts its own policies which at that time will supercede his.

Ford spoke to the item of new business. He underscored that this is in effect a continuing resolution, authorizing the provost to put in place procedures intended to insure our compliance with the law. He affirmed that we all believe textbook adoption policies are within the purview of the faculty; the university’s constitution grants us that. However, the demand of legislative policy is such that we do not have time to develop the thoughtful responses we may want to make. Ford suggested to the Senate that this gives us a wonderful opportunity to watch what the provost comes up with, find all the problems with it, and guide him into the right path. He referred faculty to attachments C, D, and F for drafts of policies developed by the provost and counsel.

Ford encouraged senators to ask questions and make comments, and expressed his view that those with particular interest would be excellent members of a joint faculty-administration work group on the matter.

Anson said he would like to serve on the committee, and is indeed curious about these laws. He asked counsel if any has been challenged in court. Hagemeyer said not yet. Anson said he assumed academic freedom would be the primary principle at issue.

Bunch asked if we're pursuing these important questions of academic freedom. Ford said Sen. Aiyetoro has last spring raised the same point, and that it is clearly incumbent on us to address these questions.

Belcher said a significant effort is being made to engage the the legislator who sponsored the bills to at least insure that the most troublesome provisions are removed or modified.

Tschumi noted that the requirement that authors in effect sign over to the institution any royalties from the required use of their books or other materials had raised a Constitutional question: does such a policy violate the takings clause?

Eshleman inquired if it were appropriate to ask some questions about how several of the specific proposals will be implemented. The president, the provost, and counsel all said yes. The provost reminded senators that we need two things: policy that meets the letter of the law, and then methods for implementation; thus, questions about implementation are important now.

Eshleman referred to attachment C. If you're using one of your own books, how could you reasonably project whether you're going to make any money on royalties? Belcher said he assumed faculty would report on the previous year. Hagemeyer observed that he believes none of these practical questions were contemplated by the sponsors..

Cheatham observed that royalties are only paid on the sale of new copies by the publisher, which may mean we have to distinguish which sorts of copies were sold. The provost and counsel acknowledged this has certainly been raised.

Nickels talked about some of what was discussed in the hearings this spring. He said he and others with AAUP managed to convince Sen. Argue that professors are not hired to write textbooks, and thus that income generated by that activity does not properly belong to the university.

Sims noted that his department's faculty write a lab manual, require students to use it, and put the money generated by sales right back into department activities for the benefit of students. Hagemeyer said that appears to be where we're headed with all this at the moment. Belcher added that CSAM's work has prompted the writing of the present draft, which gives colleges considerable authority in the process. Acknowledging how onerous it seems to deal with these laws, he reminded us that in their original versions, there were criminal sanctions for violations!

English pointed out that the governor is sensitive to the possible Constitutional violations, and that the 2009 session of the General Assembly may not be the first opportunity we have for some legislative reconsideration.

English volunteered for the committee that will work on these matters.

One additional point was raised in general discussion: If a professor signs the royalties over to the department, are we off the hook? From the author's

viewpoint, that still seems to be a taking. And from another perspective, one could argue that if the money goes to the department, the department includes the author, who could still get some benefit from it. The law indicates the first priority should be to use those royalties in the interest of students.

Motion passed unanimously on voice vote.

VII. Open Forum

Sims shared with the Senate a story: Barnes and Noble has the bookstore at Harvard. There is a website that leads students to cheaper books. People were going around the Harvard bookstore writing down the ISBNs of required textbooks. Bookstore employees were not happy, threw the scouts out, and a more general brouhaha has ensued.

Foster asked whether anyone was seeking an opinion from the attorney general on the textbook laws. Hagemeyer said he had heard discussions about the seeking of an AG's opinion but wasn't privy to the outcomes. He can raise the question again to others in the office of University Counsel.

Barrett asked, the question having arisen for him as we reviewed the new Faculty Excellence Awards procedure, what happened to the Department of Excellence Award? Several senators recalled that it disappeared in an earlier time of budget crunches. Provost Belcher said he and Ford have discussed this, and are inclined to advocate for its reinstatement.

Vinikas shared his analysis of the history of awards programs, having seen the Excellence Awards as an institutional response to faculty coming together at a time when there was serious consideration of unionizing. He sees it as a classic tactic of management to set faculty in competition with one another..

The president took a straw poll, which showed a massive preponderance of opinion that the Department of Excellence awards are a good idea.

Ford reminded the Senate of his monthly meetings with the chancellor and with the provost, suggesting that this had been before and would be again a topic at those meetings.

English, as an afterthought, said he thinks the Department of Excellence Awards are indeed a good idea, and should be limited to accomplishments over the last six months.

There being no further business, the meeting was adjourned at 2:45 p.m.

Judith Faust, Secretary

Attachment A

As amended and adopted by the Faculty Senate on September 21, 2007:

The Faculty Senate recommends the adoptions of wording as

presented in attachment A as the policies for guiding the faculty excellence awards program.

Faculty Excellence Awards

The UALR Foundation Fund Board in 1988 instituted a series of annual awards to recognize and reward faculty excellence in three specified areas of performance: teaching, research or creative endeavors, and professional and public service. Recognition is accorded at the college level and at the University level. Each award consists of a framed certificate and a cash gift of \$1,000 at the college level and, at the university level, \$10,000 for teaching and \$5,000 in research or creative endeavors and in public service.

I. Nature and Categories of Awards

A. Award for excellence in teaching.

This award is to recognize, encourage, and reward superior classroom teachers—individuals whose command of their respective disciplines, teaching methodologies, communications skills, concern for student performance, and commitment to the learning process exemplify the teacher/mentor model. The award is not intended to be a popularity contest. It is designed to distinguish those teachers who maintain high expectations of their students and who ensure academic rigor in their courses.

B. Award for excellence in research or creative endeavors.

This award is to recognize, encourage, and reward those individuals whose research or creative endeavors have been particularly successful and are so recognized locally, regionally, and nationally. The results of these efforts should have contributed to the expansion of knowledge and/or the quality of life, and/or encouraged additional research.

C. Award for excellence in public service.

This award is to recognize, encourage, and reward those individuals who have brought credit to the University of Arkansas at Little Rock through their successful efforts in applying the content or skills of their academic disciplines in service to the community, state, or nation in areas of public interest.

This award is designed to distinguish those persons whose achievements in serving the public interest by the application of their disciplinary expertise to problems and issues external to campus have been particularly successful and are so recognized locally, regionally, or nationally.

II. Number and Frequency of Awards

A. Award for excellence in teaching.

1. There may be one award in each college/school of the University annually.
2. There shall be one University-level award annually. The University-level awardee shall be chosen from the college/school-level award winners.

B. Award for excellence in research or creative endeavors.

1. There may be one award in each college/school of the University annually.
2. There shall be one University-level award annually. The University-level awardee shall be chosen from the college/school-level award winners.
3. The award may be shared where the achievements being recognized result from joint efforts.

C. Award for excellence in public service.

1. There may be one award in each college/school of the University annually.
2. There shall be one University-level award annually. The University-level awardee shall be chosen from the college/school-level award winners.

D. The term “colleges/schools” refers to the following organizational units within the University:

- The College of Arts, Humanities, and Social Sciences
- The College of Business Administration
- The College of Education
- The George W. Donaghey College of Engineering and Information Technology
- The School of Law
- The College of Professional Studies
- The College of Science and Mathematics

In the event of administrative reorganization, the list of colleges and schools shall be adjusted accordingly.

III. Selection

A. Eligibility.

1. Persons with faculty status as defined in the current faculty handbook, except for the adjunct and visiting categories, holding full-time faculty appointments who have completed five or more full years of service to the University may be nominated; faculty who have administrative responsibilities are eligible if their teaching duties are 50% or more of their work assignment for the academic year in which they are nominated.
2. Faculty members who are otherwise qualified for the teaching award but who are not administratively a part of one of the seven named colleges/schools shall be eligible through the award process of the college/school that offers the courses such faculty teach.
3. The most recent five years of accomplishments comprise the record to be documented, presented and reviewed in the selection process.
3. Persons may not receive an award of the same category for a period of three years.

B. Nominations.

1. Persons considered for awards shall be identified through a process of nomination.
2. The nomination process shall be open – i.e., any person may nominate a faculty member for any of the awards.

C. Selection committees – college-level awards.

1. There shall be a selection committee within each college/school.
2. The size and composition of the committee shall be as follows:
 - One representative chosen by the faculty from each department within the college/school.
 - One student member.
 - One alumni member.
3. In colleges/schools which are not organized departmentally, the faculty shall develop a method for faculty representation.
4. The manner of choosing the student and alumni members shall be determined by the college/school faculty.
5. Individuals who serve as administrators with the title of department chair (or its equivalent) and at higher levels of administration are not eligible to serve on the selection committee.
6. Individuals who are nominated for an award may not serve on the selection committee.

D. Selection committee – University-level awards.

1. There shall be a single national selection committee composed of seven members.
2. No member shall be employed by the University of Arkansas at Little Rock.
3. The Chancellor shall appoint the national selection committee.
 - a. The composition of the committee shall be national in scope and broadly representative of the disciplines in the colleges/schools in the University.
 - b. Committee members may be selected from the academic and nonacademic spheres of endeavor.
4. Committee members shall receive an appropriate honorarium.

IV. Procedure

A. Administration of the award process.

Administrative support for the award process shall be the responsibility of the Office of the Provost.

B. Solicitation of nominations.

1. Not later than September 30 of each year, the Provost shall advise members of the campus community of the award process and nominating procedure. The timeline and deadlines for preparation, completion and submission of materials shall be announced as well.
 - a. The Director of Alumni Affairs shall advise the alumni of the University through appropriate alumni publications.
 - b. Information about the awards shall be widely disseminated throughout the community to encourage nominations from the business, professional, and public sectors of the community.

C. Preparation of nomination packets.

1. Nominators are responsible for preparation of nomination packets containing information as specified in the attachment, "Preparation and Submission of Nomination Packets." Page limitations are enforced.
2. Department chairs or equivalent administrators shall cooperate with nominators in assembling supporting evidence.

D. Submission of nomination packets.

1. One copy of each nomination packet for the college-level awards shall be submitted to the college selection committee no later than the date specified in the Provost's announcement.
2. One copy of each college-level winner's packet shall be forwarded to the Provost no later than the date specified in the Provost's announcement.

E. Selection committee action.

1. College-level selection committees shall meet as necessary in order to complete the selection of the award winners.
 - a. Committee procedures shall be determined by the respective colleges/schools.
 - b. The committee shall review such materials as are submitted in the nomination packet.
 - c. The proceedings of the committees shall be confidential.
 - d. Each college-level committee shall forward one copy of the nomination packets of the winners of the college-level awards to the Provost no later than the date specified in the Provost's announcement
2. The Provost shall forward sets of nomination packets to members of the national selection committee.
 - a. The members of the selection committee shall advise the Provost of the committee's selections by a date designated by the Provost.
 - b. The proceedings of the committee shall be confidential.
 - c. The announcement of University-level winners shall be made at a suitable University event.

Preparation and Submission of Nomination Packets

Nominations must adhere to the following instructions and page limitations to be accepted by the Provost's Office.

Place in a single manila folder one copy of each item described below for each nominee. Clearly identify the name of the nominee on the tab of the folder. Please do not use special folders or binders. Submit the folder to the college or school selection committee by the date specified in the annual solicitation for nominations. Department chairs (or equivalent administrators) are expected to cooperate as needed in assembling the required information.

The contents of each packet should be as follows, minimum 12-point font

1. Table of Contents
2. Letter of Nomination (limited to four pages). Focus on accomplishments during the most recent five year period.
3. Biographical data. (limited to six pages) Please provide in the order listed; a standard curriculum vitae is inappropriate:
 1. Name of nominee and award for which nominated
 2. Current position (title, rank, department, or unit)
 3. Number of years in this position
 4. Number of years at the University of Arkansas at Little Rock
 5. Degrees held (source and date)

6. Employment history (previous positions, years; list most recent first)
 7. Honors and awards
 8. Membership in professional and honorary societies (note offices held)
 9. List of courses taught in each of the five years prior to nomination.
Provide the full course title and not just the course number.
 10. Scholarly and Professional Accomplishments: List of articles and books published and professional accomplishments within the last five years (please provide the complete citation). If there are particularly significant accomplishments before the last five years, those may be referenced in the letter of nomination. Do not submit copies of work(s). The selection committee may request these if desired. Only the contents of the packet as specified above will be sent to the members of the national selection committee.
4. Letters of Endorsement: (limited to one page each) Letters of endorsement may be provided from up to six people who can speak to the award criteria. Letters from students who are likely to be subsequently advised or evaluated by the faculty nominee are discouraged. Standard, anonymous student evaluations and individual letters from graduates are appropriate. The perspective or status of the authors of the letters should be clearly identified, either in the letter itself or by the person who prepares the nomination packet as well as their title, e.g., Professor of English, or Alumnus, or Dean of Arts, or Student, etc.

Pages exceeding the limits above will not be considered. The total packet requires a Table of Contents and a maximum of 16 pages.

Attachment C

The University of Arkansas at Little Rock adopts the following policies as part of its Conflict of Interest policy to implement the provisions of Acts 105 and 106 of the 2007 Regular Session of the 86th General Assembly.

Conflicts of Interest: Acceptance of Inducement to Require Purchase of Textbook Prohibited; Royalties.

- a. For purposes of this Policy:
 - (i) “Compensation” means any royalty or other compensation from the sale, use, or publication of any Textbook that includes the employee’s own writing or work, received by an employee as a result of the sale or use of the Textbook in a class or classes taught by the employee.
 - (ii) “Proprietary Materials” means any Textbook that includes the employee’s own writing or work.

(iii) “Textbook” shall include any printed material, course materials, or other property a student is required to have available for use in any coursework or instruction offered by or through the University.

(iv) “University” means the University of Arkansas at Little Rock.

b. Neither the University, any department of the University, nor any employee of the University shall demand or receive any present or promised gift, payment, loan, subscription, advance, deposit of money, services, or any other thing of value as an inducement for requiring a student or students to purchase a specific Textbook for coursework or instruction offered by or through the University.

c. It is not a violation of the provisions of this Policy for an employee of the University to receive, whether or not as a result of the employee’s request:

- (i) sample copies, instructor’s copies, or instructional material of a Textbook required for coursework or instruction offered by or through the University;
or
- (ii) subject to the provisions of Paragraphs d, e, and f, Compensation from the sale or publication of Proprietary Materials.

d. An employee may receive Compensation from the sale, use, or publication of Proprietary Materials which is received pursuant to and as provided for in a written agreement with a third party entered into prior to the effective date of this Policy, to the extent allowed by University policies in force immediately prior to the effective date of this Policy.

e. Compensation from the sale, use, or publication of Proprietary Materials pursuant to an agreement made after the effective date of this Policy, or pursuant to a written agreement in effect prior to such date but amended after the effective date of this policy, constitutes a conflict of interest.

f. Each college shall develop guidelines for the use of royalties received by an employee from the sale of Proprietary Materials for classes taught by the employee. At a minimum, the guidelines must:

- (i) Require that an employee who intends to require the purchase of Proprietary Materials by students in a class or classes that the employee will teach provide a description of and a justification for the use of Proprietary Materials in writing to the department chair and dean.
- (ii) Require that the employee obtain prior written approval from the department chair and the dean to require the purchase of the employee's Proprietary Materials by the employee's students.
- (iii) Specify how the compensation from the use of Proprietary Materials in the

class or classes taught by the employee may be used, giving priority to programs that benefit students academically, pursuant to Arkansas Code 6-60-601(b)(2).

- (iv) Require that no later than the deadline established by the University for the reporting of outside employment, the employee receiving permission to use Proprietary Materials provide a report to the employee's dean on compensation received and its disposition.

g. Violations of Paragraph b of this Policy shall be reported within ten business days to the Provost and Vice Chancellor for Academic Affairs, who shall within the ten business day window, forward the report to the General Counsel of the University of Arkansas System and the Legislative Council of the Arkansas General Assembly.

Attachment D

ACADEMIC POLICY REGARDING PROMPT NOTICE OF THE ADOPTION OF UNDERGRADUATE TEXTBOOK AND COURSE MATERIALS

DRAFT

To conform with the mandate established by Act 175 of 2007, UALR adopts the following policy:

Orders for textbooks and other course materials required or assigned for all **undergraduate** courses shall be sent to the UALR Bookstore by the following deadlines:

March 15th for the following fall and summer terms
October 15th for the following spring term

Textbook orders and course material orders shall include:

- A brief description of the textbook or course materials
- The author(s)
- Title, edition, and ISBN
- Special instructions or circumstances for the purchase or use of the textbook or course materials.

The list of required or assigned textbooks and course materials for undergraduate courses will be published on UALR's website and posted at the UALR bookstore no later than noon on:

- April 1st for the following fall semester;
- November 1st for the following spring semester; and
- April 1 for all following summer sessions.

Required or assigned undergraduate textbooks and other course materials shall not be adopted after March 15th for fall and summer terms and October 15th for spring term unless:

1. The faculty member completes the “Request for the Late Adoption of Textbook and/or Classroom Materials Form” which shall include
 - a. A brief description of the textbook or course materials, the author(s), title, edition, and ISBN, special instructions or circumstances for the purchase or use of the textbook or course materials; and
 - b. The name(s) of the person(s) responsible for the late adoption and a written explanation of the reasons for the late adoption request; and
2. The request is approved by faculty member’s department chair and college dean; and
3. The college dean submits the approved form to the Provost.

Attachment F

The University of Arkansas at Little Rock adopts the following policy to implement the provisions of Act 277 of the 2007 Regular Session of the 86th General Asswembly.

Website Links for Textbooks and Course Materials

a. No employee or agent of the University of Arkansas at Little Rock (“University”) shall place, or cause to be placed, on the University’s website or on the website of any University bookstore (whether the bookstore is owned and operated by the University or by a third party under contract with the University), a link to the website of a retailer of textbooks or other educational materials if the retailer is not required to report and pay Arkansas sales and use taxes **unless:**

(i) the retailer has obtained a use tax permit from the State of Arkansas Department of Finance and Administration **and**

(ii) the retailer is reporting and paying Arkansas sales and use taxes on sales of textbooks and other educational materials to residents of Arkansas.

b. An employee or agent of the University creating, or directing another to create, a link to the website of a retailer of textbooks or other educational materials shall request written verification from the Vice Chancellor for Finance and Administration that the retailer complies with the requirements of Act 277 and this policy, and shall not create or direct the creation of the link until the written verification is received.

c. Violations of this policy shall be reported to the Vice Chancellor for Finance and Administration, who shall in turn report the violation to the State of Arkansas Department of Finance and Administration.