

# **SPECIAL AHECB MEETING**

## **Via Conference Call (Hosted at ADHE)**

Arkansas Department of Higher Education

423 Main Street, Little Rock 72201

Monday, July 31, 2017

4:30 p.m.

### AHECB Members

Sherrel Johnson, Chair

Dr. Jim Carr, Vice Chair

Dr. Michael Stanton, Secretary

Dr. Charles Allen

Keven Anderson

Al Brodell

Dr. Olin Cook

Chris Gilliam

Lori Griffin

Greg Revels

Sam Sicard

### **AGENDA**

1. Merger of Crowley's Ridge Technical Institute to East Arkansas Community College (Ms. Tara Smith)

## **MERGER OF CROWLEY'S RIDGE TECHNICAL INSTITUTE TO EAST ARKANSAS COMMUNITY COLLEGE**

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### **Background**

Act 636 of 2017 sets forth the process for a possible merger of Crowley's Ridge Technical Institute (CRTI) to East Arkansas Community College (EACC) if the institutions choose to merge. The legislation governs the process of the merger of CRTI to EACC upon the approval of the Board of Directors of CRTI; the Board of Trustees of EACC; and the Arkansas Higher Education Coordinating Board (AHECB).

Upon approval of the merger, all statutory authority, powers, duties, functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds, including the functions of budgeting or purchasing, of CRTI shall be transferred to EACC. The Board of Directors of CRTI shall be abolished and the Board of Trustees of EACC shall assume the powers and duties of the Board of Directors of CRTI.

### **Merger**

On July 25, 2017, the Board of Directors of CRTI voted to merge CRTI with EACC with a proposed effective date of August 1, 2017. On July 26, 2017, the Board of Trustees of EACC voted to approve/accept the offer by CRTI's Board to merge with EACC effective August 1, 2017. Upon approval of the merger by the AHECB, EACC will work with all accrediting bodies during the transition to reflect the merger. This merger will not cause EACC to request a change in their role and scope statement.

### **Fiscal Impact**

All cash fund balances of CRTI transferred to EACC shall be used for the operation, support, and improvement of occupational, vocational, technical, and workforce development programs of EACC. Beginning on the effective date of the merger, funding from the Work Force 2000 Development Fund and Federal Adult Basic Education Fund, which would have been provided to CRTI, shall be provided to EACC.

ADHE Executive Staff recommends that the Arkansas Higher Education Coordinating Board approve the following resolution:

**RESOLVED**, That the Arkansas Higher Education Coordinating Board hereby approves the merger of Crowley's Ridge Technical Institute to East Arkansas Community College, effective August 1, 2017.

**FURTHER RESOLVED**, That the Director of the Arkansas Department of Higher Education is authorized to notify the President and the Chair of the Board of Trustees of East Arkansas Community College of the Coordinating Board's resolution.

1 State of Arkansas As Engrossed: H2/24/17 H2/27/17

2 91st General Assembly

# A Bill

3 Regular Session, 2017

HOUSE BILL 1543

4

5 By: Representative Hollowell

6 By: Senator Caldwell

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## For An Act To Be Entitled

9 AN ACT CONCERNING MERGERS OF TECHNICAL INSTITUTES AND  
10 COMMUNITY COLLEGES; TO SPECIFY THE PROCESS FOR A  
11 MERGER OF CROWLEY'S RIDGE TECHNICAL INSTITUTE TO EAST  
12 ARKANSAS COMMUNITY COLLEGE IF THE INSTITUTIONS CHOOSE  
13 TO MERGE; TO DECLARE AN EMERGENCY; AND FOR OTHER  
14 PURPOSES.

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## Subtitle

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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*SECTION 1. Arkansas Code Title 6, Chapter 51, is amended to add an additional subchapter to read as follows:*

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### Subchapter 11 –

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Procedures to Follow Upon Merger of Crowley's Ridge Technical Institute to

33

East Arkansas Community College

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6-51-1101. Merger.

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(a)(1) This subchapter shall govern the merger of Crowley's Ridge



1 Technical Institute and East Arkansas Community College if:

2 (A) The Board of Directors of Crowley's Ridge Technical  
3 Institute votes to merge with East Arkansas Community College;

4 (B) The Board of Directors of East Arkansas Community  
5 College votes to accept the merger; and

6 (C) The merger is approved under § 6-53-401.

7 (2)(A)(i) When voting to accept a merger under subdivision  
8 (a)(1)(B) of this section, the Board of Directors of East Arkansas Community  
9 College shall designate a date for the merger to become effective.

10 (ii) The Board of Directors of East Arkansas  
11 Community College shall consult the Board of Directors of Crowley's Ridge  
12 Technical Institute in determining the date under subdivision (a)(2)(A)(i) of  
13 this section.

14 (B) If a merger of Crowley's Ridge Technical Institute and  
15 East Arkansas Community College is approved under § 6-53-401, the merger  
16 shall become effective on the date designated under subdivision (a)(2)(A)(i)  
17 of this section.

18 (b) On the effective date of a merger under subdivision (a)(2) of this  
19 section, all statutory authority, powers, duties, functions, records,  
20 personnel, property, unexpended balances of appropriations, allocations, or  
21 other funds, including the functions of budgeting or purchasing, of Crowley's  
22 Ridge Technical Institute shall be transferred to East Arkansas Community  
23 College.

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25 6-51-1102. Board of directors.

26 On the effective date of a merger under § 6-51-1101(a)(2):

27 (1) The Board of Directors of Crowley's Ridge Technical  
28 Institute shall be abolished; and

29 (2) The Board of Directors of East Arkansas Community College  
30 shall assume the powers and duties of the Board of Directors of Crowley's  
31 Ridge Technical Institute.

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33 6-51-1103. Purchasing.

34 (a) Upon the vote of the Board of Directors of Crowley's Ridge  
35 Technical Institute to merge with East Arkansas Community College under § 6-  
36 51-1101(a)(1)(A) and before the effective date of a merger under § 6-51-

1 1101(a)(2):

2 (1) Purchases by Crowley's Ridge Technical Institute shall be  
3 made under the Arkansas Procurement Law, § 19-11-201; and

4 (2) Purchases by East Arkansas Community College may continue to  
5 be made under procedures that were applicable to East Arkansas Community  
6 College.

7 (b) This section shall not apply if a merger is not subsequently  
8 approved under § 6-51-1101(a).

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10 6-51-1104. Transfer of assets, obligations, records, personnel,  
11 property, unexpended balances, and legal authority.

12 Beginning on the effective date of a merger under § 6-51-1101(a)(2):

13 (1) All property and other rights, claims, and assets of  
14 Crowley's Ridge Technical Institute shall be transferred to East Arkansas  
15 Community College;

16 (2) All obligations of Crowley's Ridge Technical Institute shall  
17 be obligations of East Arkansas Community College;

18 (3)(A) Except as provided in subdivision (3)(B) of this section,  
19 all records, personnel, property, unexpended balances, and legal authority  
20 shall be transferred from Crowley's Ridge Technical Institute to East  
21 Arkansas Community College.

22 (B) If applicable, the personnel transferred from  
23 Crowley's Ridge Technical Institute to East Arkansas Community College shall  
24 comply with Acts 2017, No. 94, § 1, as amended by this act; and

25 (4) All cash fund balances of Crowley's Ridge Technical  
26 Institute transferred to East Arkansas Community College shall be used for  
27 the operation, support, and improvement of occupational, vocational,  
28 technical, and workforce development programs of East Arkansas Community  
29 College.

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31 6-51-1105. Funding from the Work Force 2000 Development Fund.

32 Beginning on the effective date of a merger under § 6-51-1101(a)(2),  
33 funding from the Work Force 2000 Development Fund, which would have been  
34 provided to Crowley's Ridge Technical Institute, shall be provided to East  
35 Arkansas Community College to fund workforce development, vocational,  
36 occupational, and training programs offered by East Arkansas Community

1 College.

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3 6-51-1106. Funding from the Federal Adult Basic Education Fund.  
4 Beginning on the effective date of a merger under § 6-51-1101(a)(2),  
5 funding from the Federal Adult Basic Education Fund, which would have been  
6 provided to Crowley's Ridge Technical Institute, shall be provided to East  
7 Arkansas Community College.

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9 SECTION 2. DO NOT CODIFY.

10 (a) The General Assembly finds that:

11 (1) Significant changes in the day-to-day operations of  
12 Crowley's Ridge Technical Institute before the effective date of a merger of  
13 Crowley's Ridge Technical Institute to East Arkansas Community College under  
14 § 6-51-1101 may impede the ability of Crowley's Ridge Technical Institute to  
15 merge seamlessly into East Arkansas Community College; and

16 (2) Additional guidance and restrictions are necessary to assure  
17 a smooth transition to the new institutional structure of East Arkansas  
18 Community College provided for by this act.

19 (b) Except as provided in subsection (c) of this section, upon the  
20 vote of the Board of Directors of Crowley's Ridge Technical Institute to  
21 merge with East Arkansas Community College under § 6-51-1101(a)(1)(A) and  
22 before the effective date of a merger under § 6-51-1101(a)(2), Crowley's  
23 Ridge Technical Institute shall not:

24 (1) Change its policies or procedures;

25 (2) Terminate an employee of Crowley's Ridge Technical  
26 Institute;

27 (3) Transfer an employee of Crowley's Ridge Technical Institute  
28 to a different position;

29 (4) Hire a new employee of Crowley's Ridge Technical Institute;  
30 or

31 (5) Destroy, mutilate, or alter documents, records, or other  
32 property maintained by Crowley's Ridge Technical Institute or its employees  
33 unless the destruction, mutilation, or alteration is made in the normal  
34 course of business and the nature of and reason for the destruction,  
35 mutilation, or alteration are recorded.

36 (c) Upon the approval of a merger of Crowley's Ridge Technical

Institute and East Arkansas Community College under § 6-51-1101(a)(1)(C) and before the effective date of a merger under § 6-51-1101(a)(2), the Board of Directors of East Arkansas Community College shall designate an individual to assume administration of Crowley's Ridge Technical Institute.

(d) If Crowley's Ridge Technical Institute determines that performance of one (1) or more of the actions prohibited in subsection (b) of this section are necessary to appropriately perform the duties or functions of Crowley's Ridge Technical Institute:

(1) The Technical Institute Director or the Interim Technical Institute Director of Crowley's Ridge Technical Institute may request that the designee under subsection (c) of this section permit performance of the action; and

(2) The designee under subsection (c) of this section may grant or deny permission to perform the requested action.

(e) Upon the approval of a merger of Crowley's Ridge Technical Institute and East Arkansas Community College under § 6-51-1101(a)(1)(C) and before the effective date of a merger under § 6-51-1101(a)(2), Crowley's Ridge Technical Institute shall provide to the designee under subsection (c) of this section any document, record, testimony, explanation, or other information maintained by Crowley's Ridge Technical Institute or its employees upon the request of the designee.

SECTION 3. Acts 2017, No. 94, § 1, is amended to read as follows:

SECTION 1. REGULAR SALARIES. There is hereby established for the Crowley's Ridge Technical Institute for the 2017-2018 fiscal year, the following maximum number of regular employees.

Item	Class	No.	Code	Title	No. of Employees	Maximum Annual
						Salary Rate
						Fiscal Year
						2017-2018
<del>(1)</del>	<del>N150N</del>			<del>TECHNICAL INSTITUTE DIRECTOR</del>	<del>1</del>	<del>GRADE N902</del>
<del>(2)</del>	<del>E009C</del>			<del>TECHNICAL INSTITUTE ASST DIRECTOR</del>	<del>3</del>	<del>GRADE C125</del>
(1)				VICE-PRESIDENT FOR CAREER & TECHNICAL EDUCATION	1	GRADE GS11
<del>(3)</del> (2)	E018C			SPECIALIZED TECHNICAL FACULTY	42	GRADE C122
<del>(4)</del> (3)	E022C			EDUCATION & INSTRUCTION MANAGER	1	GRADE C121



1	<del>(5)</del> (4)	E027C	CAREER & TECHNICAL FACULTY	<del>3020</del>	GRADE C120
2	<del>(6)</del> (5)	G207C	FINANCIAL AID ANALYST	1	GRADE C115
3	<del>(7)</del> (6)	S033C	MAINTENANCE SUPERVISOR	1	GRADE C115
4	<del>(8)</del> (7)	A090C	PAYROLL SERVICES SPECIALIST	1	GRADE C115
5	<del>(9)</del> (8)	A098C	FISCAL SUPPORT SPECIALIST	2	GRADE C112
6	<del>(10)</del> (9)	S050C	MAINTENANCE SPECIALIST	1	GRADE C112
7	<del>(11)</del> (10)	A097C	PAYROLL TECHNICIAN	1	GRADE C112
8	<del>(12)</del> (11)	C073C	ADMINISTRATIVE SPECIALIST II	5	GRADE C109
9	<del>(13)</del> (12)	S065C	MAINTENANCE ASSISTANT	<u>3</u>	GRADE C108
10			MAX. NO. OF EMPLOYEES	<u>5439</u>	

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12 SECTION 4. DO NOT CODIFY. (a)(1) Within two hundred ten (210) days  
 13 of the effective date of a merger under § 6-51-1101(a)(2), active employees  
 14 of Crowley's Ridge Technical Institute on the effective date of a merger  
 15 under § 6-51-1101(a)(2) who become employees of East Arkansas Community  
 16 College may make a one-time choice between:

17 (A)(i) The health insurance plan adopted by the State and  
 18 Public School Life and Health Insurance Board for state employees; or

19 (ii) The East Arkansas Community College health  
 20 insurance plan; and

21 (B)(i) Remaining in his or her same retirement system  
 22 under the same conditions then provided by law or as may later be provided by  
 23 law; or

24 (ii) The East Arkansas Community College retirement  
 25 system plan.

26 (b) The Board of Directors of East Arkansas Community College shall  
 27 promulgate rules establishing the procedure for employees to exercise benefit  
 28 options under subsection (a) of this section.

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30 SECTION 5. Arkansas Code § 6-53-401 is amended to read as follows:  
 31 6-53-401. Coordination with institutional boards of trustees.

32 A merger or consolidation of a state-supported postsecondary  
 33 vocational-technical institution with an existing community college, with a  
 34 branch campus of a four-year institution, or with a four-year institution, is  
 35 subject to the approval of the: ~~board of trustees of the institution, the~~  
 36 ~~Arkansas Higher Education Coordinating Board, and an accrediting agency~~

1 ~~recognized by the federal Department of Education.~~

2 (1) Board of directors or board of trustees of the existing  
3 community college or four-year institution; and

4 (2) Arkansas Higher Education Coordinating Board.

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6 SECTION 6. DO NOT CODIFY. EFFECTIVE DATE. (a) Section 3 of this act  
7 shall:

8 (1) Become effective on the effective date of a merger under §  
9 6-51-1101(a)(2); and

10 (2) Expire on June 30, 2018.

11 (b) Section 3 of this act shall not become effective if the effective  
12 date under subdivision (a)(1) of this section occurs after June 30, 2018.

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16 /s/Hollowell

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19 APPROVED: 03/24/2017

**MINUTES OF EMERGENCY BOARD MEETING  
CROWLEY'S RIDGE TECHNICAL INSTITUTE  
Tuesday, July 25, 2017  
3:00 P.M.**

**Agenda: Merger of Crowley's Ridge Technical Institute with East Arkansas  
Community College**

The Board of Directors for Crowley's Ridge Technical Institute met in an Emergency Board Meeting on Thursday, July 25, 2017 at 3:00 p.m. in the Board Room at Crowley's Ridge Technical Institute.

Board Members present: Mr. Fredric Smith, Chairperson; Mrs. Teresa Dallas; Mr. John Jordan; Mrs. Betty Martin, and Mrs. Sarah Fein (via cell phone). Staff members present: Interim President, Mr. David Brown. Times Herald reporter, KXJK radio station, CRTI staff members as well as members of the community were also present.

Mr. Fredric Smith called the meeting to order at 3:00 p.m.

Mr. David Brown made a motion to accept Roberts Rule of Order. Mr. Fredrick Smith seconded the motion. All accepted.

Mrs. Betty Martin requested to have a discussion about the merger issue.

Mrs. Debbie Hill, CRTI Nursing Instructor; Mrs. Kyleigh Kennedy, CRTI Nursing Instructor; Mr. Tim Astin, CRTI IET Instructor; Shelly Laird, CRTI Financial Aid Analyst; and Ms. Brooke Bieber, CRTI Childcare Instructor all spoke against the merge of the two institutions.

Mr. John Jordan made a motion to merge Crowley's Ridge Technical Institute with East Arkansas Community College effective on August 1, 2017. Mrs. Teresa Dallas seconded the motion.

Votes for Merger: (3) Sarah Fein, John Jordan, Teresa Dallas

Votes against Merger: (2) Fredrick Smith, Betty Martin

The meeting adjourned at 3:45 p.m.

# **EAST ARKANSAS COMMUNITY COLLEGE**

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## **OFFICIAL MINUTES OF BOARD OF TRUSTEES SPECIAL CALLED MEETING**

**Date of  
Meeting: July 26, 2017**

### **I. CALL TO ORDER:**

At 6:00 PM the Board of Trustees meeting was called to order by Judge Ann B. Hudson, Chairman.

### **II. ROLL CALL:**

The following board members were in attendance: Mr. Buddy Billingsley, Mr. Alan Curtis, Mrs. Jan Haven, Mr. Rausch Hodges, Mr. Brent Howton, Judge Ann Hudson, Mr. Al Miller and Mr. Willie L. Smith. Sheriff Bobby May was out of town.

### **OTHERS PRESENT:**

Dr. Coy Grace, Dr. Janie Bailey, Mr. Richard Stipe, Mrs. Catherine Coleman, Dr. Cathie Cline, Mr. Chris Heigle, Mrs. Joanne Lawson, Mr. Frank Morledge, Mr. Kevin Jumper and Mr. Kareem Watson. Minutes were taken by Darlene Young.

### **MEDIA PRESENT:**

Media representation included Mr. Caleb Talley, representing the Forrest City *Times-Herald* newspaper.

### **III. NEW BUSINESS:**

#### **A. Approve/Accept the offer by Crowley's Ridge Technical Institute board to merge with East Arkansas Community College under ACT 636:**

Judge Hudson reported that the board had received an offer by Crowley's Ridge Technical Institute board to merge with East Arkansas Community College under Act 636.

Mr. Howton made a motion to accept the offer by Crowley's Ridge Technical Institute board to merge with East Arkansas Community College under ACT 636, effective August 1, 2017. Mr. Smith seconded the motion. The motion passed with no opposition.

Judge Hudson requested that Dr. Grace notify the Arkansas Higher Education Coordinating Board of this decision and Dr. Grace acknowledged that he would do so.

Mr. Curtis made a motion, pertaining to the merger, to have an outside, unbiased source to find out what we are incurring and the financial situation that we are incurring. Mr. Billingsley suggested amending that motion for the board to 'authorize the president' to begin that process to conduct an audit of the assets, etc. to be transferred to EACC as covered by Act 636. Mr. Curtis accepted this amendment and made this his motion. Mrs. Haven seconded the motion and the motion passed with no opposition.

**ADJOURNMENT**

With no further business to discuss, Mr. Curtis made a motion to adjourn. Mrs. Haven seconded the motion and the meeting adjourned at 6:05 PM.

Approved:

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Ann B. Hudson, Chair  
EACC, Board of Trustees

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Date