



University of
Central Arkansas
OFFICE OF THE
PRESIDENT

March 19, 2012

Mr. Aaron Knight
Office of University Advancement
University of Central Arkansas
Buffalo Alumni Hall
Conway, AR 72035

RE: Results of Informal Investigation/Allegation of Political Activities

Dear Mr. Knight:

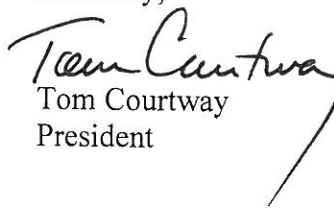
Attached is a copy of a memo from Katie Henry, Associate General Counsel, to me dated March 12, 2012, setting forth her findings and recommendations in regard to the allegations of political activities in connection with the recent Conway sales tax rededication. Thank you for your cooperation with Ms. Henry and Mr. Jack Gillean in connection with this matter.

I have reviewed the memo and I accept the findings and recommendations of Ms. Henry. Based upon the investigation, you violated policies of the University of Central Arkansas by engaging in political activities on university time and also by using University equipment in connection with the sales tax rededication. Although these acts and usage were minimal, they did occur even though no University database was used or accessed, nor were University e-mail accounts used.

Based upon the findings contained in Ms. Henry's memo, I modify her recommendations to impose an unpaid suspension of eight (8) hours, which you may either take at some date within the next two weeks, or you may elect to use eight (8) hours of accrued annual leave. Please let Ms. Shelley Mehl know of your decision no later than 12:00 noon on Monday, March 26, 2012. This letter shall also serve as a letter of caution to you that you are not to use any University equipment for political purposes, nor are you to engage in any political activity on state time for any reason. A copy of this letter shall be placed in your personnel file.

This concludes the informal investigation of this matter. If you have questions concerning this letter or desire to appeal this matter, please contact Ms. Henry.

Sincerely,


Tom Courtway
President

TCC:ct
Enclosure



University of
Central Arkansas
OFFICE OF THE
PRESIDENT

March 19, 2012

Ms. Shelley Mehl
Vice President for Advancement
University of Central Arkansas
Buffalo Alumni Hall
Conway, AR 72035

RE: Results of Informal Investigation/Allegation of Political Activities

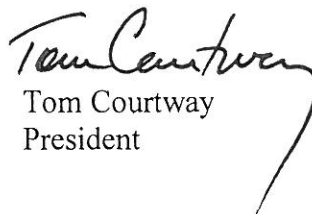
Dear Shelley:

Attached is a copy of a memo from Katie Henry, Associate General Counsel, to me dated March 12, 2012, setting forth her findings and recommendations in regard to the allegations of political activities in connection with the recent Conway sales tax rededication.

I have reviewed the memo and accept the findings and recommendations of Ms. Henry that you did not violate any provision of Arkansas law or policies of the University.


Thank you for your cooperation with Ms. Henry and Mr. Jack Gillean in connection with this matter.

Sincerely,


Tom Courtway
President

TCC:ct
Enclosure

Memorandum

To: Mr. Tom Courtway, President
From: Katie L. Henry, Associate General Counsel 
Subject: Shelley Mehl/Aaron Knight – Political Activity
Date: March 12, 2012

This memo sets forth the process followed and the results of an informal investigation of an allegation made by Ms. Dianna Winters regarding a violation of the Political Practices Act (Ark. Code Ann. §7-1-101, *et al.*) and the *University of Central Arkansas Staff Handbook* regarding political activity and use of university equipment and time.

Background Information and Summary of the Complaint:

In a verbal complaint to me, Ms. Winters alleged that Ms. Shelley Mehl and Mr. Aaron Knight in the UCA Office of Institutional Advancement used University equipment and time to work on the Conway sales tax rededication vote, which was held on February 14, 2012. She specifically mentioned the following: (1) she heard Ms. Mehl and Mr. Knight discussing the sales tax rededication vote on their car ride to the campus forum in January, 2012 (note: in subsequent interviews, both Ms. Mehl and Mr. Knight referenced a conversation on the way to the January Board of Trustees Meeting, and it is my understanding that this is the same conversation that Ms. Winters referred to in our initial meeting); (2) she was in Ms. Mehl's office on one occasion, and Mr. Knight came into the office with a stack of papers and the back page was the logo/graphic pertaining to the campaign; (3) she was concerned that Institutional Advancement's database, Razors Edge, may have been accessed in some manner; and (4) she was concerned that employees may have been deleting e-mails with regard to the campaign.

Procedure:

- The following interviews were conducted:
 - Interview of Shelley Mehl conducted by Jack Gillean and Katie Henry; and
 - Interview of Aaron Knight conducted by Jack Gillean and Katie Henry.
- The leave reports for Mr. Knight were also reviewed as part of the investigation.
- In addition, before the informal investigation began, a Freedom of Information request was received from the *Arkansas Democrat Gazette*. Pursuant to that request, employee e-mails were reviewed, including e-mails that had been deleted. Ms. Joan Shofner was also asked to run a query in Razors Edge to determine who accessed the database and what information was exported.

Summary of Interviews:

- Shelley Mehl: Ms. Mehl stated during her interview that her office was very protective of Razors Edge and that everyone who has access to Razors Edge must sign a confidentiality agreement. She noted that Mr. Knight had signed a confidentiality agreement. As previously noted, Ms. Shofner ran a query in Razors Edge after UCA received the Freedom of Information request. Ms. Mehl stated that only one query was ran during the time period in question (Ms. Heather Harper exported names, but no telephone numbers).

Ms. Mehl learned that Mr. Knight was volunteering for the campaign when she saw him at the kick-off luncheon held in January, 2012. She recalled one conversation that she had with Mr. Knight on the way to the UCA board meeting in January in which they discussed the Conway Mayor speaking at Rotary about the sales tax rededication.

Ms. Mehl stated that she was not part of the design for the campaign logo and that she did not see the design until she received her post card in the mail.

- Aaron Knight: Mr. Knight stated that he volunteered his time to assist the campaign for the sales tax rededication (direct mail, phone banking, etc.). He noted that he never accessed Razors Edge for any purpose not related to his employment at UCA.

Mr. Knight admitted that he accessed his personal e-mail account from his University computer and printed a voter registration file and a proof of the campaign logo. He stated that he printed the logo on University equipment and then threw it in the trash. Mr. Knight also stated that he sent several e-mails (less than ten (10) e-mails in a forty (40)-day period) from his personal e-mail account on his University computer regarding the campaign. He noted that he did not do any work on the graphic design for the logo.

Mr. Knight stated that he also had a conversation in passing with Mike Kemp regarding the sales tax rededication and that it was possible that he discussed the campaign with Ms. Mehl on the way to the Board of Trustees meeting in January (he could not remember specifics). He was not aware of any scheme in the Office of Institutional Advancement to work on the campaign, and he asserted that he had not deleted any e-mails from his UCA e-mail account after being notified of the Freedom of Information request.

He also noted that he took about ten (10) hours of leave time to work on the campaign and that he regretted opening his personal e-mail at work.

We very much appreciated Mr. Knight's open and honest answers to the questions presented to him during the interview.

Findings and Recommendations:

- *Findings:*
 - Based on interviews conducted, Ms. Mehl did not take any actions which violated the Political Practices Act or the University's policy on political activity.
 - Based on the interviews conducted and Mr. Knight's own admission, Mr. Knight used University equipment and time to work on the Conway sales tax rededication vote. Although his use of equipment and time was minimal, he did violate University policy.
 - Based on the review of the Razor's Edge database, it was determined that the database was not accessed for any reason other than for University/UCA Foundation purposes.
 - Based on a review of Institutional Advancement employees' University e-mail accounts (including deleted e-mails), no University e-mail accounts were used (and no e-mails were deleted) in regard to the sales tax rededication vote.

- *Recommendations:*
 - We recommend that eight (8) hours of vacation pay be deducted from Mr. Knight's leave bank as a result of his violation of University policy.
 - We recommend that Mr. Knight be instructed that he must refrain from using University time or equipment to engage in political activities in the future.

This concludes the "informal investigation" of this matter.

cc: Jack Gillean