

January 18, 2003

Lincoln, Nebraska
January 18, 2003

The Board of Regents of the University of Nebraska met on January 18, 2003, at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. Section 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Daily Nebraskan, The Gateway, The Antelope, Kearney Hub and Omaha World Herald on January 6, 2003.

Regents present:

Joe Bilek
Don S. Blank
Randolph M. Ferlic, Vice Chair
Chuck Hasebrook
Ryan Hatt
Howard L. Hawks
Casey Johnston
Jim McClurg
Drew Miller
Kent Schroeder, Chair
Ryan Wilkins
Charles S. Wilson

University officials present:

L. Dennis Smith, President
Jay Noren, Executive Vice President and Provost
Nancy Belck, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Doug Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
John Owens, Vice President and Vice Chancellor for Agriculture and Natural Resources
Kim M. Robak, Vice President for External Affairs and Corporation Secretary
David Lechner, Vice President for Business and Finance
Richard R. Wood, Vice President and General Counsel

I. **CALL TO ORDER**

Chairman Schroeder welcomed UNO Student Regent Joe Bilek; UNMC Student Regent Casey Johnston; and newly elected Regent Howard Hawks to the Board.

II. **ROLL CALL**

The Board convened at 8:35 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Saturday, January 18, 2003. Attendance is indicated above.

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III. **APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS**

Motion Moved by Blank and seconded by McClurg to approve the minutes and ratify the actions of the regularly scheduled meeting of December 14, 2002, with the deletion of nonofficial actions, and approve and ratify the action of the emergency meeting of January 10, 2003.

Action Student Opinion: Aye: Hatt, Johnston, Wilkins, and Bilek. Voting Aye: Ferlic, Hawks, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: None. Abstain: Hassebrook. Motion carried.

IV. **ELECTION OF OFFICERS**

Motion Moved by McClurg and seconded by Wilson to nominate Regent Ferlic for the position of Chair of the Board.

Motion Moved by Hassebrook and seconded by Wilson to close nominations and accept as unanimous vote.

Action Nominations were closed.

Action Regent Ferlic was elected as Chair of the Board by Acclamation.

Motion Moved by Schroeder and seconded by Wilson to nominate Regent Blank for the position of Vice Chair of the Board.

Motion Moved by Hassebrook and seconded by McClurg to close nominations and accept as unanimous vote.

Action Nominations were closed.

Action Regent Blank was elected as Vice Chair of the Board by Acclamation.

V. **KUDOS**

Regent McClurg presented a KUDOS award to Rebecca Koller, Assistant Vice President and Director of Facilities, Planning, and Management at the University of Nebraska Central Administration.

Regent Blank presented a KUDOS award to Verda Schweitzer, Administrative Technician in the office of the Vice President for Business and Finance at the University of Nebraska Central Administration.

Regent Johnston presented a KUDOS award to Barbara Roberts, Office Administrator in the Department of Biochemistry and Molecular Biology at the University of Nebraska Medical Center.

Regent Schroeder presented a KUDOS award to Peg Nyffeler, Assistant Director of the Student Health Center at the University of Nebraska at Kearney.

Regent Hatt presented a KUDOS award to Linda Johnson, Graduate Assistant Coordinator in the office of Graduate Studies and Research at the University of Nebraska at Kearney.

Regent Wilkins presented a KUDOS award to Kathe C. Andersen, Publications Coordinator for the Dean's Office in the Hixon-Lied College of Fine and Performing Arts at the University of Nebraska-Lincoln.

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Regent Hassebrook presented a KUDOS award to Judith A. Nelson, Coordinator of Marketing in the Institute of Agriculture and Natural Resources at the University of Nebraska-Lincoln.

RESOLUTIONS

The following Resolution was to be presented to Regent Brock Wentz, but he was unable to attend the meeting to receive it.

Whereas, Brock Wentz has served as a member of the University of Nebraska Board of Regents and President of the University of Nebraska Medical Center student senate during the 2001-2002 term; and

Whereas, Regent Wentz has made communication a top priority, providing information to students about issues that might impact their educational experience and professional preparation; and

Whereas, Regent Wentz has effectively brought to the attention of the board and administration issues of concern to students; and

Whereas, Regent Wentz has served on UNMC's Education Task Force and Legislative team, helping to increase student involvement in these important areas; and

Whereas, Regent Wentz has provided leadership for student participation in the College of Medicine Centennial Run and other fund-raising activities to support the Sharing Clinic and the Family Health Center clinics in South Omaha.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses its sincere appreciation for the contributions and dedicated service of Brock Wentz as a member of the board and wishes him well in all his future endeavors.

Motion

Moved by Ferlic and seconded by Wilson to adopt the following resolution.

Whereas, the State of Nebraska faces a fiscal crisis and there may be a tendency to divert the tobacco settlement fund money for other purposes.

Whereas, the Governor and Legislature deserve praise for their past efforts to fund collaborative biomedical research efforts at the University of Nebraska Medical Center, Creighton University, Boys Town, and the University of Nebraska-Lincoln.

Whereas, the use of these research funds exemplifies the original intent of the tobacco settlement, and thus Nebraska truly remains unique in our nation to utilize the funds for the original purpose to improve the health of citizens.

Now, therefore be it resolved, that the University of Nebraska Board of Regents commend the Governor and Legislature for their vision and hereby urge them to continue their commitment to fund biomedical research as set forth in the Nebraska Health Care Funding Act, *Neb. Rev. Stat.* § 71-7605 to 7614.

Discussion was held.

Action

Student Opinion: Aye: Johnston, Wilkins, Bilek, and Hatt. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

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VI. **STRATEGIC OR POLICY ISSUE**

Jay Noren, Executive Vice President and Provost, introduced the topic of Academic Libraries: Challenges and Strategic Directions and the following presenters:

Janice Boyer, Dean of Library, UNO;
Michael Herbison, Director of Libraries, UNK;
Joan Giesecke, Dean of Libraries, UNL;
Nancy Woelfl, Director, Library of Medicine, UNMC; and
Richard Leiter, Director of Law Library, UNL.

For copy of PowerPoint presentation, see documents file.

Discussion was held.

The Board recessed at 9:50 a.m. and reconvened at 10:00 a.m.

VII. **HEARINGS**

None.

VIII. **PUBLIC COMMENT**

Lawrence Bradley spoke to the Board about the lack of minority faculty in the physical and life sciences area at the University of Nebraska.

IX. **COMMITTEE REPORTS**

General Affairs

The General Affairs committee met on Friday afternoon and the topic of discussion was Privately Funded Research.

Business Affairs

The Business Affairs committee met on Friday afternoon and the topic of discussion was HIPAA.

General Affairs

The General Affairs committee met a second time on Friday afternoon and the topic of discussion was Rural Outreach.

X. **UNIVERSITY CONSENT AGENDA**

Regent Wilson asked the item X-A-3 be removed from the Consent Agenda.

Motion Moved by Miller and seconded by Schroeder to approve items X-A-1, X-A-2, X-A-4, X-B-1, X-B-2, X-B-3, X-B-4, X-B-5, X-B-6, and X-B-7.

A. ACADEMIC

X-A-1 President's Personnel Recommendations.

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University of Nebraska at Omaha

Leave of Absence

Shaista Wahab, Professor (Continuous), Library; leave of absence without pay, effective 01/21/03 to 03/07/03, \$56,232 FY, 1.00 FTE.

- X-A-2 Change the Department of Family and Consumer Sciences to the Department of Family Studies and Interior Design at the University of Nebraska at Kearney.
- X-A-3 See item under University Administrative Agenda.
- X-A-4 Approve the Joint Resolution Providing for the Establishment of the Scholarship Committee to Make Awards Authorized by the Nebraska Minority Scholarship Program Act (Neb. Rev. Stat. §§ 85-9,177 to 85-9,182).

B. BUSINESS

Central Administration

- X-B-1 Approve Amendment of the 2003 Retirement Incentive Program for Tenured Faculty.
- X-B-2 Approve the Resolution providing for certain required declarations and actions of the Board relating to HIPAA.

University of Nebraska-Lincoln

- X-B-3 Approve an Interlocal Agreement between the City and the Board of Regents for joint use of an inactive underground steam tunnel for telecommunications facilities.
- X-B-4 Approve the Resolution providing for expenditures of up to \$1,855,255 for capital improvements for University Housing facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds and waive the requirement for program statement approval.
- X-B-5 Approve the revised Program Statement and budget for the UNL Natural Resources & Research Complex.
- X-B-6 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute on behalf of the Board of Regents sub-awards in excess of \$200,000 in conjunction with the NSF agreement for "A Protein Interaction Database for Rice Protein Kinases."

University of Nebraska at Kearney

- X-B-7 Approve an increase in the project budget of the Utilities Extension from the Spillway to Bruner Hall of Science from \$937,500 to \$1,150,000.

Discussion was held.

- Action Student Opinion: Aye: Wilkins, Bilek, Hatt, and Johnston. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Motion carried.

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XI. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. ACADEMIC

- Motion Moved by Wilson and seconded by McClurg to approve item X-A-3 from the Consent Agenda.
- X-A-3 Approve the policy on Criteria for Renewal of Undergraduate Regents Scholarships.
Discussion was held.
- Action Student Opinion: Aye: Bilek and Wilkins. Nay: Hatt and Johnston. Voting Aye: McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.
- Motion Moved by Hassebrook and seconded by Wilson to approve item XI-A-1.
- XI-A-1 Approve the recommendation to establish a peer group for the University of Nebraska System.
Discussion was held.
- Action Student Opinion: Aye: Hatt, Johnston, Wilkins, and Bilek. Voting Aye: Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.
- Motion Moved by Wilson and seconded by McClurg to approve item XI-A-2.
- XI-A-2 Approve Joint Doctor of Philosophy major in Information Technology at the University of Nebraska-Lincoln and the University of Nebraska at Omaha.
Discussion was held.
- Action Student Opinion: Aye: Johnston, Wilkins, Bilek, and Hatt. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

B. BUSINESS

None.

C. FOR INFORMATION ONLY

None.

D. REPORTS

- XI-D-1 University of Nebraska Financial Statements for the year ending June 30, 2002.
- XI-D-2 Report on examination of financial statements relating to University Dental Associates for the years ending June 30, 2001, and June 30, 2002.
- XI-D-3 Report on examination of financial statements relating to University Medical Associates for the years ending June 30, 2001, and June 30, 2002.

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XI-D-4 Annual audit of UNeMed Corporation for the fiscal year ending December 31, 2001, in accordance with the Bylaws of UNeMed Corporation as approved by the Board of Regents.

XI-D-5 Report of Bids and Contracts for the period ended December 12, 2002.

Chairman Ferlic accepted the reports.

XII. **ADDITIONAL BUSINESS**

Chairman Ferlic brought forward the revised Board of Regents' meeting schedule for 2003.

Discussion was held.

Consensus of the Board to adopt the revised Board meeting schedule as follows:

January 17-18, 2003

February 28-March 1, 2003

April 25-26, 2003

June 6-7, 2003

August 8-9, 2003

October 17, 2003

December 12-13, 2003

January 16-17, 2004

CLOSED SESSION

Motion Moved by Miller and seconded by Wilson the Board of Regents go into closed session as authorized by Section 84-1410 of the Revised Statutes of Nebraska for the protection of the public interest, and to prevent needless injury to the reputation of individuals who have not requested a public hearing, for the purpose of holding a discussion limited to consideration of the award of honorary degrees.

Action Student Opinion: Aye: Wilkins, Bilek, Hatt, and Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

The Board went into closed session at 10:55 a.m. and reconvened the open meeting at 11:14 a.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:15 a.m.

Respectfully submitted,

Kim M. Robak
Corporation Secretary

Randolph M. Ferlic
Chair of the Board