

March 5, 2005

Lincoln, Nebraska
March 5, 2005

The Board of Regents of the University of Nebraska met on March 5, 2005, at 8:30 a.m. in the Board Room of Varner Hall, 3835 Holdrege Street, 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 February 21, 2005.

Regents present:
Nicholas Behrendt
Brad Bohn
Randolph M. Ferlic
Chuck Hasebrook
C. David Hergert
Howard L. Hawks, Chair
Elizabeth Kraemer
Jim McClurg
Drew Miller
Kent Schroeder
Katie Weichman
Charles S. Wilson

University officials present:
James B. Milliken, President
Jay Noren, Executive Vice President and Provost
Nancy Belck, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Barbara Couture, Senior Vice Chancellor, Academic Affairs, UNL
Douglas A. Kristensen, Chancellor, UNK
John Owens, Vice President and Vice Chancellor for Agriculture and Natural Resources
Donal J. Burns, Corporation Secretary
David Lechner, Vice President for Business and Finance
Richard R. Wood, Vice President and General Counsel

I. **CALL TO ORDER**

Regent Hawks introduced and welcomed UNK Student Regent Brad Bohn.
Regent Weichman introduced UNL Student Regent-elect Omaid Zabih.

II. **ROLL CALL**

The Board convened at 8:34 a.m. in the Board Room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, Saturday, March 5, 2005. Attendance is indicated above. Chancellor Perlman was absent.

March 5, 2005

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

Motion Moved by McClurg and seconded Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of January 15, 2005.

Action Student Opinion: Aye: Bohn, Kraemer, Weichman, and Behrendt. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Hergert. Voting Nay: None. Motion carried.

IV. **KUDOS**

Regent Hergert presented a KUDOS award to Bonnie Payne, Campus Events and Reservations Coordinator at the University of Nebraska at Kearney.

Regent Weichman presented a KUDOS award to Judith Winkler, Manager of the Architecture Library Visual Resources Collection at the University of Nebraska-Lincoln.

RESOLUTIONS

Regent Hassebrook presented the following resolution:

Whereas, the University of Nebraska at Omaha College of Public Affairs and Community Service and the School of Public Administration has continuously provided certification training and continuing education for municipal clerks for 29 years on behalf of the Nebraska Municipal Clerks Association

Whereas, approximately 230 Nebraska clerks attend the Nebraska Institute and Master Academy each year, making it the largest per-state-population in the U.S.

Whereas, since its beginning in 1976, the Institute has trained more than 1,500 clerks, and each year, nearly half of Nebraska's 532 municipalities are represented in the Institute and Academy

Whereas, Nebraska municipal clerks' jobs are becoming increasingly complex and the training provided by the Nebraska Municipal Clerk Institute and Master Academy increases clerks' awareness of changes in laws, policies and procedures

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates the continuing contributions and acknowledges the importance of the work of faculty and staff in educating Nebraska's municipal clerks through this program at the University of Nebraska at Omaha and wishes them continued success.

Regent Ferlic presented the following Resolution:

Whereas, through a partnership between the University of Nebraska at Omaha College of Education and Omaha Public Schools, the Minority Intern Program is increasing the number of minority teachers in K-12 classrooms by recruiting students of diverse heritage to prepare for careers in teaching

Whereas, since the program's inception in 1985, with an average of 30 interns participating in the program each year, the pool of minority teacher candidates has increased substantially, and the majority of the graduates have eventually become teachers at OPS

March 5, 2005

Whereas, the Minority Intern Program has provided stipends for students involved, professional support and mentorship, and practical experience and guidance in the classroom for student interns

Therefore, be it resolved, that the University of Nebraska Board of Regents congratulates the partnership and leadership in this program by the University of Nebraska at Omaha College of Education and Omaha Public Schools and thanks the faculty, staff and students involved, and wishes them continued success

Be it further resolved, we commend this program for its commitment to improving diversity in K-12 classrooms and encouraging excellence and opportunity among future teachers of diverse backgrounds.

Regent McClurg presented the following resolution:

Whereas, Katie J. Weichman has served with distinction as a member of the University of Nebraska Board of Regents and President of the Association of Students of the University of Nebraska since March 2004; and

Whereas, Regent Weichman has effectively presented the views of University of Nebraska-Lincoln students to fellow board members, the Nebraska Legislature, and the citizens of the state; and

Whereas, in conjunction with the athletic department Regent Weichman greatly expanded the marketing of the Husker Student T-Shirt, raising more than \$23,000, in support of the ASUN Safe Ride Program, NU on Wheels; and

Whereas, Regent Weichman planned and hosted the very successful 11th Annual Conference of Big XII Student Government Leaders; and

Whereas, an Academic Fees Advisory Board was established under Regent Weichman's leadership to review and advise on technology and library fee assessments and expenditures; and

Whereas, Regent Weichman developed and implemented Tax Wise, a new service for UNL students that provided free income tax filing assistance from trained volunteers.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses sincere appreciation for Regent Katie Weichman's dedicated service and effective leadership as a member of the board, and wishes her well in all her future endeavors.

Regent Schroeder presented the following resolution on January 4, 2005:

Whereas, Brett Chloupek has served as Student Regent and as President of the University of Nebraska at Kearney Student Senate during the 2004-2005 academic term; and

Whereas, during his term Regent Chloupek actively participated in the meetings of the University of Nebraska Board of Regents; and

Whereas, Regent Chloupek has diligently communicated with his fellow students at UNK to make certain they were well informed concerning issues affecting their campus, their education, and their future careers; and

March 5, 2005

Whereas, Regent Chloupek has ably and admirably represented the students of UNK and has worked in cooperation with his fellow student regents in bringing issues of significance before the Board of Regents; and

Whereas, through his leadership and vision, Regent Chloupek has advanced student government and campus life at UNK by serving as a mentor and role model to current and future students.

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses its sincere appreciation for the important contributions of Regent Brett Chloupek during his term of office and wishes him well in all his future endeavors.

Motion Moved by Wilson and seconded Ferlic to approve the above Resolutions.

Action Student Opinion: Aye: Kraemer, Weichman, Behrendt, and Bohn. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, and Ferlic. Voting Nay: None. Motion carried.

V. **STRATEGIC OR POLICY ISSUE**

The Strategic Issue was Entrepreneurship: Education, Training and Outreach. The presenter was Glenn Friendt, Director of the Nebraska Center for Entrepreneurship and UNL. Resource people were: David Ambrose, Professor, Marketing and Management, UNO; Robert Bernier, State Director, Nebraska Business Development Center, UNO; Galen Hadley, Dean, Business and Technology, UNK; Prem Paul, Vice Chancellor for Research, Dean for Graduate Studies, UNL; Tom Rosenquist, Vice Chancellor for Research, UNMC; and Anne York, Associate Professor, Marketing and Management, UNO.

(For handouts, see documents file.)

The Board recessed at 9:55 a.m. and reconvened at 10:06 a.m.

VI. **HEARINGS**

None.

VII. **PUBLIC COMMENT**

Chip Maxwell, Executive Director of the Nebraska Coalition for Ethical Research, spoke in regard to stem cell research.

(For handout, see documents file.)

VIII. **COMMITTEE REPORTS**

Motion Regent Schroeder made a motion that until the annual meeting of the Board of Regents in January 2006 the provisions of Section 1.3.1 and 1.3.3 of the Standing Rules of the Board be waived so as to make inactive the General Affairs, Information Technology, Outreach Service, Planning and Student Affairs Standing Committees of the Board and not require appointment of members to such committees. The effect of this motion, if adopted, will make the Executive Committee, the Academic Affairs Committee and the Business Affairs Committee and the Audit Committee the active and functioning committees of the Board during this period. This waiver of the Standing Rules shall be on a trial basis so the Board of Regents can assess whether it is advisable at a future date to amend Sections 1.3.1 and 1.3.3 of the Standing Rules to permanently reduce the Board's Standing Committees.

March 5, 2005

Moved by Schroeder and seconded Miller to approve the motion.

Action Student Opinion: Aye: Weichman, Behrendt, Bohn, and Kraemer. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, and Hassebrook. Voting Nay: None. Motion carried.

Academic Affairs

The Academic Affairs Committee met on Friday afternoon and the topics of discussion were: Excellence in Undergraduate Education: Honors Programs; LB 239, Nebraska Dream Act; Changes to UNL Classics Majors; Expansion of the UNO College of Fine Arts and Renaming to the College of Communications, Fine Arts and Media; a proposal for a 55-acre campus at Sioux City shared by Wayne State College and Northeast Community College.

Regent Wilson presented the following policy statement in relation to the Academic Affairs Committee presentation on LB 239, Nebraska Dream Act:

Statement of the Board of Regents on Educational Opportunity for Undocumented

Immigrants: Education is the key to improving economic opportunity for individuals, and increasing the level of educational attainment in the state is critical to the economy and quality of life in Nebraska. Therefore, it is the policy of the Board of Regents to support affordable access to higher education for all Nebraskans who are prepared for admission to the University. The Board has special concern for providing increased educational opportunities for underrepresented minorities, so that all people of Nebraska may enjoy the demonstrable benefits of a quality college education. While the Board of Regents in no way condones illegal immigration, it does support the extension of educational opportunity, at residential tuition rates, to undocumented immigrants who have attended and graduated from Nebraska high schools and have officially initiated action to become permanent residents of Nebraska.

Motion Moved by Wilson and seconded Hassebrook to approve the statement.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Weichman. Voting Aye: Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Voting to Abstain: McClurg, Miller. Motion carried 6-2-0.*

*Section 4.4.4. of the Standing Rules of the Board of Regents states: If a member of the Board is present when a question is put and the member refuses to cast an affirmative or negative vote, his or her refusal to cast an affirmative or negative vote on the pending question shall be recorded as a negative vote, unless such member has declared a conflict of interest and abstained from all discussion and voting as mandated by Section 4.4.3.

Business Affairs

The Business Affairs committee met on Friday afternoon and the topics of discussion were Salary Trends and Issues and Budget Update.

IX. UNIVERSITY CONSENT AGENDA

Regent Hawks requested that items IX-A-2 and IX-A-3 be removed for clarification by John Owens.

After discussion regarding IX-A-2 and IX-A-3, Regent Hawks' request was withdrawn.

March 5, 2005

Motion Moved by Miller and seconded McClurg to approve items IX-A-1 , IX-A-2, IX-A-3, IX-A4, IX-A-5, IX-A-6, IX-A-7, IX-B-1, IX-B-2, IX-B-3, IX-B-4, IX-B-5 and IX-B-6.

A. ACADEMIC

IX-A-1 President's Personnel Recommendations.

University of Nebraska-Lincoln

Leave of Absence

James W. Merchant, Professor (Continuous), School of Natural Resources; Faculty Development Fellowship with full pay effective 07/01/05 to 12/31/05, \$106,302, FY, 1.00 FTE.

Stephen E. Reichenbach, Professor (Continuous) Computer Science and Engineering; Leave with 49% pay effective 03/07/05 through 05/13/05, \$100,914 AY, 1.00 FTE.

University of Nebraska Medical Center

Leave of Absence

David G. Dunning, Professor (Continuous), Dental Practice Management; Faculty Development Fellowship with full pay effective 03/14/05 to 08/15/05,\$75,734 FY, 1.00 FTE.

University of Nebraska at Omaha

New Appointment

Stephen Shorb, Dean (Special) and Associate Professor (Continuous), University Library; effective 05/23/05, \$130,000 FY (includes \$10,000 administrative stipend), 1.00 FTE.

IX-A-2 Approve "Center" designation for the National Drought Mitigation Center as an official Center of the University of Nebraska.

IX-A-3 Approve "Center" designation for the High Plains Regional Climate Center as an official Center of the University of Nebraska.

IX-A-4 Approval of the Procedural Rules Relating to Student Discipline at University of Nebraska Medical Center as revised.

IX-A-5 Approve the requests for outside employment at the University of Nebraska at Omaha.

IX-A-6 Approve the request for outside employment at the University of Nebraska Medical Center.

IX-A-7 Approve the request for outside employment at the University of Nebraska-Lincoln.

B. BUSINESS AFFAIRS

University of Nebraska at Kearney

IX-B-1 Accept the gifts from the University of Nebraska Foundation for the renovation of Foster Field at the University of Nebraska at Kearney.

March 5, 2005

University of Nebraska-Lincoln

- IX-B-2 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute annual subcontracts and related amendments in conjunction with the U.S. Department of Education contract for “Congressionally Mandated Evaluation of National Assessment of Educational Progress.”
- IX-B-3 Authorize project budget for improvements to the Lied Center for Performing Arts on the University of Nebraska-Lincoln campus.
- IX-B-4 Authorize advance approval of sale of cow/calf pairs.

University of Nebraska Medical Center

- IX-B-5 Approve the purchase of a 7 Tesla Magnetic Resonance Imaging System.
- IX-B-6 Approve the designation of the Gretchen Swanson Velde Bequest as a quasi-endowment fund.
- Action Student Opinion: Aye: Bohn, Kraemer, Weichman, and Behrendt. Voting Aye: Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.

X. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

- Motion Moved by Miller and seconded McClurg to approve items X-A-1 and X-A-2
- X-A-1 Approval is requested to combine separate Greek and Latin majors to create a new major of Classical Language in the Department of Classics and Religious Studies in the College of Arts and Sciences at the University of Nebraska-Lincoln by integrating the existing Greek and Latin majors.
- X-A-2 Approval is requested to create a major of Classics and Religious Studies by revising the existing major of Classics in the Department of Classics and Religious Studies in the College of Arts and Sciences at the University of Nebraska-Lincoln.
- Action Student Opinion: Aye: Kraemer, Weichman, Behrendt, and Bohn. Voting Aye: Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.
- Motion Moved by McClurg and seconded Ferlic to approve item X-A-3.
- X-A-3 Approve the new Division of Laboratory Sciences in the School of Allied Health Professions, College of Medicine and change the name of the Medical Technology program to the Clinical Laboratory Science Program at the University of Nebraska Medical Center.
- There was discussion on item X-A-3.
- Action Student Opinion: Aye: Weichman, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.
- Motion Moved by Wilson and seconded Hergert to approve items X-A-4 and X-A-5.

March 5, 2005

X-A-4 Approval is requested to establish the Bachelor of Science in Aviation Degree at the University of Nebraska at Omaha.

There was discussion on item X-A-4.

X-A-5 Approval is requested for the creation of the College of Communication, Fine Arts, and Media by merging the College of Fine Arts, School of Communication, and KVNO/UNO Television at the University of Nebraska at Omaha, and approval is requested for the creation of the degrees Bachelor of Science in Communication and the Bachelor of Arts in Communication to replace the current Bachelor of Science and Bachelor of Arts degrees offered by the School of Communication in the College of Arts and Sciences.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Weichman. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

X-A-6 Approve the Award of Honorary Degrees.

Item was held for action after closed session.

B. BUSINESS AFFAIRS

Central Administration

Motion Moved by Wilson and seconded Schroeder to approve items X-B-1 and X-B-2.

X-B-1 Approve negotiated amendments to the current Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Omaha American Association of University Professors for the 2005-2007 biennium.

X-B-2 Approve negotiated amendments to the current Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association for the 2005-2007 biennium.

There was discussion.

Action Student Opinion: Aye: Bohn, Kraemer, Weichman, and Behrendt. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Hergert. Voting Nay: None. Motion carried.

University of Nebraska at Kearney

Motion Moved by Schroeder and seconded Hergert approve item X-B-3.

X-B-3 Approve the contract with the University of Nebraska Foundation for the Purchase of Real Property located in Kearney, Nebraska.

There was discussion.

Action Student Opinion: Aye: Kraemer, Weichman, Behrendt, and Bohn. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, and Ferlic. Voting Nay: None. Motion carried.

University of Nebraska Medical Center

Motion Moved by McClurg and seconded Ferlic to approve item X-B-4.

March 5, 2005

X-B-4 Approve leasing of space for the University of Nebraska Medical Center/University of Nebraska at Omaha Collaborating Center for Public Health and Community Service.

There was discussion.

Action Student Opinion: Aye: Weichman, Behrendt, Bohn, and Kraemer. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, and Hassebrook. Voting Nay: None. Motion carried.

University of Nebraska at Omaha

Motion Moved by Miller and seconded Hergert to approve item X-B-5.

X-B-5 Approve a Lease Agreement with the University of Nebraska Foundation for Elkhorn River Property.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Weichman. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

C. FOR INFORMATION ONLY

None.

D. REPORTS

X-D-1 Report on Impact of Federal Budget FY06 Proposals.

X-D-2 Universitywide Gender Equity Report.

X-D-3 Quarterly personnel report for the period October through December 2004.

X-D-4 Spring 2005 Headcount Enrollment and Student Credit Hour Reports.

X-D-5 Status of Capital Projects exceeding \$2 million as of December 31, 2004.

X-D-6 Gifts, Grants, Contracts and Bequests for the quarter ended December 31, 2004.

X-D-7 Bids and Contracts for the period ended February 3, 2005.

X-D-8 Semiannual report of licenses for the period ended December 31, 2004.

X-D-9 Othmer-Topp Endowment Fund, second priority uses, for the fiscal year ended June 30, 2004.

X-D-10 Report of Building and Ground Lease for the Nebraska Technical Transfer Center, a unit of the Cooperative Extension Division of the Institute of Agriculture & Natural Resources.

X-D-11 Renaming the Major in Mathematics and Statistics to the Major in Mathematics at the University of Nebraska-Lincoln.

X-D-12 Naming the spillway bridge on the University of Nebraska at Kearney campus the "Alvie and Ruth Payne Family Bridge."

There was discussion on item X-D-1.

March 5, 2005

There was discussion on item X-D-2. Regent Wilson proposed that Regent Hawks, as Chair of the Board, appoint a committee, the Ad Hoc Committee on Minority Faculty Equity, to compile and review the policies, recommendations and appropriate data associated with minority faculty equity across the university, compile and review comparable data for peer institutions, and consider and propose to the Board recommendations to insure effective application of policies and practices supporting minority faculty equity and assure accountability for policies and practices supporting minority equity. Regent Hawks accepted the proposal and will appoint such a committee.

Chairperson Hawks accepted the reports.

XI. ADDITIONAL BUSINESS

None.

CLOSED SESSION

Motion Moved by Wilson and seconded Hergert that 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 for the purpose of holding a discussion limited to consideration of the award of an honorary degree.

Action Student Opinion: Aye: Kraemer, Weichman, Behrendt, and Bohn. Voting Aye: Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

The Board went into closed session at 11:22 a.m. and reconvened the open meeting at 11:31 a.m.

X-A-6 Approve the Award of Honorary Degrees.

Motion Moved by Ferlic and seconded Hergert to approve item X-A-6.

Action Student Opinion: Aye: Weichman, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

ADJOURNMENT

Motion Motion made by Hergert and seconded Miller to adjourn.

Action Student Opinion: Aye: Weichman, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

There being no further business, the meeting was adjourned at 11:32 a.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Howard Hawks
Chairperson of the Board