

The Board of Regents of the University of Nebraska met on January 19, 2007, at 1:00 p.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, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on January 8, 2007.

Regents present:
Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Jim McClurg, Chairman
Bob Phares
Kent Schroeder
Bob Whitehouse
Charles S. Wilson, Vice Chairman
Mike Eiberger
Jonathan Henning
Matt Schaefer
Alexander Williams

University officials present:
James B. Milliken, President
Linda R. Pratt, Interim Executive Vice President and Provost
John Christensen, Interim Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
John Owens, Vice President for Agriculture and Natural Resources
Donal J. Burns, Associate Executive Vice President and Provost and Corporation Secretary
David Lechner, Vice President for Business and Finance
Richard R. Wood, Vice President and General Counsel
Peter G. Kotsiopoulos, Vice President for University Affairs

I. **CALL TO ORDER**

II. **ROLL CALL**

The Board convened at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska on January 19, 2007. Attendance is indicated above.

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

Motion Moved by Wilson and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of November 3, 2006.

Action Student Opinion: Voting Aye: Henning, Schaefer, Williams and Eiberger. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Wilson and Ferlic. Abstain: Whitehouse. Motion carried.

Regent McClurg announced the location of the Open Meetings Act in the Board room.

January 19, 2007

IV. **ELECTION OF OFFICERS**

Motion Moved by Schroeder and seconded by Ferlic to nominate Regent Wilson for the position of Chairman of the Board. Since there were no further nominations, Chairman McClurg declared nominations closed and called for a roll-call vote.

Action Student Opinion: Voting Aye: Schaefer, Williams, Eiberger and, Henning. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic and Hassebrook. Motion carried.

Action Regent Wilson was elected as Chairman of the Board.

Motion Moved by McClurg and seconded by Ferlic to nominate Regent Hassebrook for the position of Vice Chairman of the Board. Since there were no further nominations, Chairman McClurg declared nominations closed and called for a roll-call vote.

Action Student Opinion: Voting Aye: Williams, Eiberger, Henning and Schaefer. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks.

Action Regent Hassebrook was elected as Vice Chairman of the Board.

Regent Wilson welcomed newly-elected Regents Whitehouse, Henning and Williams.

V. **KUDOS AND RESOLUTIONS**

Regent Hassebrook presented a KUDOS award to Carol Wusk, secretary specialist for the Dean and Associate Dean of Academic Affairs at the College of Agricultural Sciences and Natural Resources at the University of Nebraska-Lincoln.

Regent McClurg presented a KUDOS award to Leann Galusha, assistant to the chair in the Department of Chemistry at the University of Nebraska - Lincoln.

Regent Hawks presented a KUDOS award to Beth Blackburn, who works in the Office of Regulatory Affairs for the Institutional Animal Care and Use Committee at the University of Nebraska Medical Center.

RESOLUTION

A Resolution was introduced by Regent Schroeder for the UNMC College of Nursing Northeast Division in Norfolk.

**RESOLUTION OF THE BOARD OF REGENTS
OF THE UNIVERSITY OF NEBRASKA
Proposal for a UNMC College of Nursing Northeast Division in Norfolk**

RECITALS

A written feasibility study for the establishment of a Northeast Division of the University of Nebraska Medical Center College of Nursing (the Feasibility Study) was presented to the Board of Regents on November 3, 2006. The Feasibility Study proposes a new program and facilities for bachelor's, master's and doctoral degrees in nursing to serve the North region of Nebraska. The Feasibility Study has been reviewed by the Academic Affairs Committee of the Board, and the Board adopts the following conclusions of the Academic Affairs Committee in regard to the proposal for a College of Nursing Northeast Division:

1. There is a nursing shortage in the Nebraska and in particular in the Norfolk region that is likely to increase in the future. The North region of the state has a growing population (15.3% of the state's population) and anticipates growing patient

needs sufficient to sustain a new division of the University of Nebraska Medical Center (UNMC) College of Nursing in the region.

2. The leadership of the Norfolk community is committed to trying to raise the \$10.7 million for the facility plus at least \$350,000 plus CPI +1%, but not to exceed 7%, annually for operating expenses needed to support the new nursing division. Northeast Community College (NECC), Faith Regional Health Services, the Norfolk Chamber of Commerce, and Sen. Michael Flood have all expressed strong support for the proposal. Dr. Bill Path of NECC has committed to working with UNMC on an educational curriculum, and has agreed to reduce nursing admissions at NECC from 75 to 50 in order to support the enrollment at the UNMC College of Nursing Division.

3. The academic resources at NECC in the Norfolk region are sufficient to provide the general education requirements that are part of the bachelor's in nursing degree. UNMC would provide only the program in nursing education, including the consideration of distance education, especially in the master's and Ph.D. programs.

4. Clinical sites will be necessary for 125 generic baccalaureate students in the program when it reaches full strength in the fourth year of operation. These clinical commitments must include experience in OB/GYN, pediatrics, and medical/surgical units, and clinical sites must be available at least 3-4 week days at Faith Regional as well as Norfolk Regional Center's psychiatric units.

5. Hiring ten full-time equivalent faculty to establish the program, which will include bachelor's, master's, and Ph.D. degree options, will be a challenge. An associate dean will also be needed. However, Dean Virginia Tilden is an experienced faculty recruiter, and believes that she can hire the faculty needed over a period of time that may take more than two years. When fully established, the Norfolk Division would require a total of fifteen faculty members.

6. The Norfolk community will begin raising funds in 2007. Legislative funds for the Northeast Division would be sought no earlier than the 2008 session of the Legislature.

7. UNMC in general and the College of Nursing in particular have other long-range strategic planning commitments for their budgets. Community funds would need to be permanently committed to assure the long-term feasibility of establishing the Northeast Division.

8. The University must be sure that the long-term funding commitments and academic and hospital partnerships are in place before committing to build the program. The University of Nebraska should not be at financial risk nor should reallocation from other priorities be required for the success of this program.

The University of Nebraska is impressed and encouraged by the interest of the Norfolk community and encourages the formation of community partnerships and fund-raising efforts to establish a North Division of the College of Nursing.

Based upon the foregoing, the Board of Regents adopts the following resolution:

RESOLUTION

BE IT RESOLVED by the Board of Regents of the University of Nebraska, that the Board agrees with the concept that the Northeast region needs additional nurses with bachelor's degrees and desires to address that need, if funding and academic program supports are available to provide a nursing program without detracting from the University's existing priorities. In this regard, the highest priorities of the Board remain those reflected in the budget request submitted to the Governor on September 13, 2006.

January 19, 2007

BE IT FURTHER RESOLVED that the University of Nebraska will move forward to establish a Northeast Division of the UNMC College of Nursing in Norfolk when the following conditions are in place:

1. A written letter of intent approved and signed on or before ~~April 1, 2007~~ May 1, 2007, by the Board of Regents, NECC, Faith Regional Health Services, and the Norfolk Chamber of Commerce stating an intent by all parties to move forward toward establishment of a Northeast Division of the UNMC College of Nursing in Norfolk in accordance with the principles stated above in the eight numbered Recitals and the conditions stated in the following paragraphs 2, 3 and 4 of this Resolution.

2. A written Memorandum of Understanding providing that commitments of \$10.7 million to fund the building of a facility for the University of Nebraska have been raised in cash or legally binding commitments and placed in the University of Nebraska Foundation, and an agreement for \$350,000 annually for operations plus CPI +1%, but not to exceed 7%, has been signed by Faith Regional Center and other appropriate stakeholders, no later than March 1, 2008.

3. A written academic affiliation agreement completed by May 1, 2008, with NECC and Faith Regional Health Services specifying enrollment, curricular, and clinical arrangements.

4. Specific agreement in the Memorandum of Understanding, the academic affiliation agreement, and any other appropriate documents that the University of Nebraska shall discontinue the Northeast Division of the UNMC College of Nursing in the event that one or more of the following conditions should occur:

- a. The planning for the Northeast Division of the College of Nursing is not approved by the Nebraska Coordinating Commission for Postsecondary Education
- b. The Board of Regents determines that adequate funding is not available to support the Northeast Division program.
- c. Any of the partners to the agreements do not fulfill their long-term commitments for capital facilities, operations budget, curriculum, enrollment and clinical agreements.
- d. The Northeast Division of the College of Nursing enrollments and staffing are insufficient at any time after four years of operations to maintain the size or quality of the program proposed in the Feasibility Study.

There was discussion.

A Friendly Amendment was offered to change the date in item number 1. of the Resolution to read "1. A written letter of intent approved and signed on or before ~~April 1, 2007~~, May 1, 2007, by the Board of Regents, NECC, Faith Regional Health Services and the Norfolk Chamber of Commerce stating an intent by all parties...".

Motion Moved by Schroeder and seconded by Ferlic to accept the Resolution with the Friendly Amendment.

Action Student Opinion: Voting Aye: Eiberger, Henning Schaefer and Williams. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks and McClurg.

VI. **HEARINGS**

None

January 19, 2007

VII. **PUBLIC COMMENT**

None

VIII. **STRATEGIC OR POLICY ISSUE**

The strategic issue was the University of Nebraska at Kearney Facilities Development Plan for 2006-2015. Chancellor Douglas Kristensen presented the plan.

IX. **UNIVERSITY CONSENT AGENDA**

Motion Moved by Hawks and seconded by McClurg to approve items IX-A-1, IX-A-2, IX-B-1, IX-B-2, and IX-B-3.

A. **ACADEMIC**

IX-A-1 President's Personnel Recommendations.

IX-A-2 Approve the name change from the "Department of Family and Consumer Sciences" to the "Department of Child, Youth and Family Studies" at the University of Nebraska-Lincoln

B. **BUSINESS**

Central Administration

IX-B-1 Approve the acceptance of the audited financial statements of the University of Nebraska and related entities

University of Nebraska at Kearney

IX-B-2 Approve a Resolution to authorize the expenditures of up to \$394,500 from the Surplus Fund of the Revenue Bonds to provide wireless access in Residence Halls

University of Nebraska-Lincoln

IX-B-3 Approve naming the planned plaza at the west entrance of Andersen Hall the "Richard and Margaret Holman Plaza"

There was no discussion.

Action Student Opinion: Voting Aye: Henning, Schaefer, Williams and Eiberger. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg and Phares. Motion carried.

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. **ACADEMIC**

Motion Moved by Ferlic and seconded by Hawks to approve items X-A-1, X-A-2, X-A-3 and X-A-4.

X-A-1 Approve revisions to the Constitution and Bylaws of the College of Natural and Social Sciences at the University of Nebraska at Kearney

X-A-2 Approve revisions to the University of Nebraska at Kearney Constitution and Bylaws of the Faculty Senate

X-A-3 Approve revisions to the Bylaws of the University of Nebraska at Omaha College of Arts and Sciences

X-A-4 Approve the revised Bylaws of the University of Nebraska at Omaha Faculty Senate

There was no discussion.

January 19, 2007

Action Student Opinion: Voting Aye: Schaefer, Williams, Eiberger and Henning. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares and Schroeder. Motion carried.

B. BUSINESS

Central Administration

Motion Moved by Phares and seconded by Ferlic to approve item X-B-1.
X-B-1 Approve a new system-wide Board of Regents Policy RP-6.4.8 that prohibits the possession of concealed weapons and firearms on all University controlled property, in University vehicles, and at University sponsored events

RP-6.4.8 Policy on Possession of Concealed Weapons and Firearms

1. The possession of concealed weapons on property controlled by the University of Nebraska is prohibited. This ban applies to University of Nebraska vehicles, and events sponsored by the University. This policy applies to all members of the general public, students, and University employees, except University employees who are specifically authorized to carry concealed weapons as part of their job responsibilities.
2. Possession of firearms on property controlled by the University of Nebraska, in University vehicles and at events sponsored by the University may only be authorized by the principal business officers of each administrative unit. The rules governing authorized possession of firearms adopted by each administrative unit shall be reviewed and approved by the Office of the University General Counsel. Once approved, such rules shall be kept on file by the Corporation Secretary.
3. Notices prohibiting the carrying of concealed handguns shall be conspicuously posted as each Chancellor shall determine to be appropriate on property controlled by the University of Nebraska that is open to the public as long as such posting is required by Nebraska Concealed Handgun Permit Act to accomplish enforcement of the Act.
4. For the purposes of this policy, the term “property controlled by the University of Nebraska” shall mean and include all property owned by the University, all property leased by or licensed to the University, and all fraternity houses, sorority houses, or other student housing facilities recognized by the University.

There was discussion.

Action Student Opinion: Voting Aye: Eiberger, Henning and Schaefer. Voting No: Williams. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares and Whitehouse. Voting No: Schroeder. Motion carried.

Motion Moved by Schroeder and seconded by Hassebrook to approve item X-B-2.

X-B-2 Authorize the President to negotiate and approve, in consultation with the Board Chair, an Agency Agreement between the University, the State Investment Officer and the University of Nebraska Foundation for management and investment of funds in the University Trust Fund

There was discussion.

January 19, 2007

Action Student Opinion: Voting Aye: Eiberger, Henning, Schaefer and Williams. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse and Wilson. Motion carried.

University of Nebraska at Kearney

Motion Moved by Hawks and seconded by Eiberger to approve items X-B-3, X-B-4 and X-B-5.

X-B-3 Approve the Facilities Development Plan for 2006-2015

X-B-4 Approve the program statement and budget for renovation of the Bruner Hall of Science

X-B-5 Approve the Joint Operating Agreement between the University of Nebraska at Kearney, Kearney Public School District, and the Kearney Public Schools Foundation for the shared operation of the Robert M. Merryman Performing Arts Center

There was discussion.

Action Student Opinion: Voting Aye: Henning, Schaefer, Williams and Eiberger. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson and Ferlic. Motion carried.

University of Nebraska-Lincoln

X-B-6 Item held for further analysis

University of Nebraska Medical Center

Motion Moved by McClurg and seconded by Whitehouse to approve items X-B-7 and X-B-8.

X-B-7 Approve the naming, program statement and budget for the construction of the Weigel Williamson Center for Visual Rehabilitation

X-B-8 Approve the installation of HVAC improvements on Levels 5, 6, 7 and 8 of Wittson Hall

There was discussion.

Action Student Opinion: Voting Aye: Schaefer, Williams, Eiberger and Henning. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic and Hassebrook. Motion carried.

University of Nebraska at Omaha

Motion Moved by Ferlic and seconded by Hawks to approve items X-B-9, X-B-10 and X-B-11.

X-B-9 Approve the Student Housing program statement and budget

X-B-10 Approve the Parking Structure program statement and budget

X-B-11 Approve the attached Resolution (1) adopting the Third Supplemental Resolution to Sixth Series Resolution authorizing the issuance of not to exceed \$32,000,000 aggregate principal amount of Revenue Bonds, Series 2007 (University of Nebraska at Omaha Student Facilities Revenue Bonds), (2) authorizing the execution and delivery of a Supplemental Master Indenture and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, approving the Bond Purchase Agreements and the Preliminary Official Statements, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average of 5.0%), principal

January 19, 2007

amounts, principal maturities and redemption provisions of such Revenue Bonds, and (4) approving the preparation and use of a Final Official Statement.

There was discussion. Regent Hawks requested that the record show his preference for a 900-stall parking structure under item X-B-10.

Action Student Opinion: Voting Aye: Williams, Eiberger, Henning and Schaefer. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks. Motion carried.

Motion Moved by Hawks and seconded by Ferlic to approve item X-B-12.

X-B-12 Approve a purchase agreement with Douglas County, Nebraska for property at 67th and Center Streets

There was no discussion

Action Student Opinion: Voting Aye: Eiberger, Henning, Schaefer and Williams. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks and McClurg. Motion carried.

C. FOR INFORMATION ONLY

X-C-1 Board of Regents agenda items related to the Strategic Framework

X-C-2 Strategic Framework Calendar of Establishing and Reporting Accountability Measures

X-C-3 Strategic Framework document

X-C-4 This proposed amendment of Section 3.4.2 of the Bylaws of the Board of Regents of the University of Nebraska relating to vacation and the proposed amendments to Board of Regents' policies RP-3.3.1 relating to vacation and sick leave are presented for information purposes only. Approval of these amendments will be requested at the Board of Regents' meeting on March 9, 2007.

X-C-5 These proposed amendments of Sections 1.3 and 1.4 of the Standing Rules of the Board of Regents relating to the standing committees of the Board are presented for information only in accordance with the requirements of Section 7.2 of the Standing Rules and Section 1.11 of the Bylaws of the Board of Regents. Approval of these amendments will be requested at the Regents' meeting on March 9, 2007.

D. REPORTS

X-D-1 Fall 2006 Tenure Density Report

X-D-2 Programs with Tuition Variances

X-D-3 Report on the change of name of the "Environmental Soil Science" major within the School of Natural Resources to "Environmental Restoration Science"

X-D-4 Report on changes in construction projects by budget or use categories

X-D-5 Report on bids and contracts

X-D-6 Naming one of the permanent collection galleries at Sheldon Memorial Art Gallery at the University of Nebraska-Lincoln "The Woods Family Gallery"

X-D-7 Two-year lease agreement between the University of Nebraska-Lincoln and the Airport Authority of the City of Lincoln

January 19, 2007

X-D-8 Strategic Framework: Report on Graduation Rates for 2004-2005

Chairman Wilson accepted the reports.

XI. ADDITIONAL BUSINESS

Regent Wilson asked that he receive input regarding 2007 committee assignment preferences by January 25, 2007.

Regent Wilson indicated that the Board needs to address fire safety and sprinkler issues at residences directly under the ownership, control or administration of the University, including Greek houses. He asked that the administration begin information gathering about projected costs and the timeframe that would be involved in assuring the safety of our students. President Milliken said that such a report was well under way and would be provided at the March meeting.

Closed Session

Motion Moved by Schroeder and seconded by McClurg that the Board 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 persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

- (a) Proposed private gifts to the University of Nebraska Foundation for the benefit of the University;
- (b) Honorary degrees;
- (c) Strategy with respect to collective bargaining; and
- (d) Strategy with respect to the acquisition of real estate.

Action Student Opinion: Voting Aye: Henning, Schaefer, Williams and Eiberger. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg and Phares. Motion carried.

The Board went into closed session at 2:54 p.m. and reconvened the open meeting at 3:45 p.m.

Motion Moved by Whitehouse and seconded by McClurg to approve item X-A-5.

X-A-5 Approve the Award of Honorary Degrees and Awards

There was no discussion.

Action Student Opinion: Voting Aye: Schaefer, Williams, Eiberger and Henning. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, McClurg, Phares and Schroeder. Hawks absent. Motion carried.

January 19, 2007

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:46 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Charles S. Wilson
Chairman of the Board