

The Board of Regents of the University of Nebraska met on September 6, 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 August 23, 2007.

Regents present:

Randolph M. Ferlic
Chuck Hasebrook, Vice Chairman
Jim McClurg
Bob Phares
Kent Schroeder
Bob Whitehouse
Charles S. Wilson, Chairman
Amber Lewis
Jonathan Henning
David Solheim
Alexander Williams

Regent not present:

Howard Hawks

University officials present:

James B. Milliken, President
Linda R. Pratt, Executive Vice President and Provost
John Christensen, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey 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 September 6, 2007. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Ferlic and seconded by McClurg to approve the minutes and ratify the actions of the regularly scheduled meeting of July 13, 2007.

Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Hasebrook, McClurg, Phares, Schroeder, Whitehouse, and Wilson. Absent: Hawks. Motion carried.

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

IV. KUDOS AND RESOLUTIONS

Regent Hassebrook presented a KUDOS award to David Cicotello, director of Recruitment Services at the University of Nebraska at Omaha.

Regent Henning presented a KUDOS award to Stacie Sabatka, the psychiatry clinic coordinator at the University of Nebraska Medical Center.

Regent Whitehouse presented a KUDOS award to Rick Larsen, Director of Student Housing and Residential and Greek Life at the University of Nebraska at Kearney.

Regent McClurg presented a KUDOS award to Tim Savage, Director of Research Information Systems at the University of Nebraska-Lincoln.

V. HEARINGS

None

VI. PUBLIC COMMENT

None

VII. STRATEGIC ISSUE

President Milliken provided the Regents an overview of his recent trip to Brazil and Chile with Secretary of Education Margaret Spellings and eight university presidents.

Dr. David Shulenburger, Vice President for Academic Affairs at the National Association of State Universities and Land-Grant Colleges (NASULGC) addressed the Board and addressed questions on "The Voluntary System of Accountability."

VIII. UNIVERSITY CONSENT AGENDA

Motion Moved by Schroeder and seconded by Williams to approve items VIII-A-1, VIII-A-2, VIII-A-3, VIII-A-4, VIII-A-5, VIII-A-6, VIII-B-1, and VIII-B-2

A. ACADEMIC AFFAIRS

VIII-A-1 The President's Personnel Recommendations

VIII-A-2. Waive the requirements of Section 2.1 of the Bylaws of the Board of Regents relating to employment searches and approve appointment of Deborah Smith-Howell, Ph.D., as Dean for Graduate Studies at the University of Nebraska at Omaha

VIII-A-3 Approval to Award Degrees and Certificates for the 2007-2008 academic year and 2008 summer sessions at the University of Nebraska at Kearney

VIII-A-4 Approval to Award Degrees and Certificates for the 2007-2008 academic year and 2008 summer sessions at the University of Nebraska-Lincoln

VIII-A-5 Approval to Award Degrees and Certificates for the 2007-2008 academic year and 2008 summer sessions at the University of Nebraska Medical Center

VIII-A-6 Approval to Award Degrees and Certificates for the 2007-2008 academic year and 2008 summer sessions at the University of Nebraska at Omaha

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B. BUSINESS AFFAIRS

University of Nebraska-Lincoln

VIII-B-1 Approve the selection of Sinclair Hille Architects to provide design services for the Whittier Building Renovation

University of Nebraska Medical Center

VIII-B-2 Approve the selection of Davis Design to provide architectural design services for the renovation of the UNMC College of Dentistry building on the East Campus of the University of Nebraska-Lincoln

There was discussion

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

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by McClurg and seconded by Ferlic to approve item IX-A-1

IX-A-1 Approve amendment to Regents Policy RP-6.4.1 Dispensing of Alcoholic Beverages on University Property to include Beverage Tasting as Part of an Academic Course

It is proposed that Regents Policy RP-6.4.1 be revised as follows:

RP-6.4.1 Dispensing of Alcoholic Beverages on University Property

The Board of Regents authorizes the dispensing and consumption of alcoholic beverages on University property in strict compliance with this policy. The Nebraska Liquor Control Act (Neb. Rev. Stat., § 53-101 et seq.) will be observed in every respect, and under no circumstances will alcoholic beverages be dispensed to or consumed by any person on University property who is under 21 years of age.

1. Scheduled Private Social Events.
 - a. Authority is hereby delegated to the President and the Chancellors or their respective designees to act on behalf of the Board of Regents under Neb. Rev. Stat., § 53-186 in authorizing the dispensing and consumption of alcoholic beverages at scheduled private social events on University property under their respective administrative jurisdictions. The President's administrative jurisdiction shall extend to all property of the University, regardless of location. The following guidelines will be applicable to dispensing and consumption of alcoholic beverages at scheduled private social events.
 - 1) The University will be responsible for and shall control the dispensing of alcoholic beverages provided by the private individual, group or organization sponsoring the social event.
 - 2) The duration of the social event shall be restricted as specified by the President or Chancellor or his or her designee.
 - 3) The University may provide, for a fee, all services and set-ups.
 - 4) Unused quantities of alcoholic beverages will remain the property of the private individual, group or organization sponsoring the social event.
 - 5) Only persons invited to attend the social event and necessary University personnel may be present at the event. All other persons shall be excluded.

- 6) Sale of alcoholic beverages is prohibited under all circumstances at private social events unless a special designated permit has been obtained pursuant to Section 2 of this policy.
 - b. Each Chancellor may promulgate specific campus policies further controlling and regulating the dispensing and consumption of alcoholic beverages at scheduled private social events pursuant to this Board policy.
2. Special Designated Permits
- a. The Nebraska Liquor Control Act in Neb. Rev. Stat., §§ 53-124.11 through 53-124.13 authorizes the Nebraska Liquor Control Commission to issue special designated permits for the sale and service of alcoholic beverages at designated events approved by the Commission and the municipality where the permit is to be located. Special designated permits may be issued to retail liquor licensees holding catering permits approved by the Commission and to non-profit organizations which have been exempted from the payment of federal income taxes. Authority is hereby delegated to the President and the Chancellors or their respective designees to act on behalf of the Board of Regents under Neb. Rev. Stat., § 53-186 in authorizing the dispensing of alcoholic beverages under special designated permits during scheduled public or private events and activities on University property under their respective administrative jurisdictions. The President's administrative jurisdiction shall extend to all property of the University, regardless of location.
 - b. The specific premises and time duration of each special designated permit shall be prescribed in writing by the President or Chancellor or his or her designee.
 - c. No special designated permit shall be issued in the name of the University or any unit thereof without prior written approval of the President.
 - d. Each Chancellor shall promulgate specific campus policies relating to service of alcoholic beverages under special designated permits which include the following:
 - 1) The types of events and activities at which special designated permits may be approved;
 - 2) Guidelines to assure that any person, persons, or organization applying for a special designated permit, if issued, will conduct business and activities authorized by a permit in strict compliance with liquor control laws and requirements imposed by the University;
 - 3) Guidelines for selection of catering permit holders for special designated permits at events or activities sponsored by the University or a unit thereof; and
 - 4) Guidelines for the sharing of proceeds from the sale of alcoholic beverages by a catering permit holder under a special designated permit at an event or activity sponsored by the University or a unit thereof.
3. Beverage Tasting as Part of an Academic Course
- a. Authority is hereby delegated to the President and the Chancellors or their respective designees to act on behalf of the Board of Regents under Neb. Rev. Stat., § 53-186 in authorizing the dispensing and consumption of alcoholic beverages for beverage tasting purposes as an integral part of an academic course where such activity has been approved by the responsible dean or director to be part of the curriculum for the course; provided the Nebraska Liquor Control Act (Neb. Rev. Stat., § 53-101 et seq.) will be observed in every respect, and under no circumstances will alcoholic beverages be dispensed to or consumed by any person who is under 21 years of age.
 - b. Each Chancellor shall promulgate specific campus policies that are consistent with R.P.-6.4.1.3 relating to the dispensing and consumption of alcoholic beverages for beverage tasting purposes as an integral part of academic courses.

- c. The cost of alcoholic beverages consumed as part of an academic course shall be paid by a special course fee paid by the students and not from tuition or state appropriations.

- Action Student Opinion: Voting Aye: Williams, Lewis, Henning, and Solheim. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, and Hassebrook. Absent: Hawks. Motion carried.
- Motion Moved by Hassebrook and seconded by Whitehouse to approve item IX-A-2
- IX-A-2 Approve the Bachelor of Science degree with a major in Athletic Training at the University of Nebraska at Kearney
- There was discussion
- Action Student Opinion: Voting Aye: Lewis, Henning, Solheim, and Williams. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, and McClurg. Absent: Hawks.. Motion carried.
- Motion Moved by Ferlic and seconded by McClurg to approve item IX-A-3
- IX-A-3 Approve an Institution Affiliation Agreement between the Board of Regents of the University of Nebraska and Children's Hospital
- Action Student Opinion: Voting Aye: Henning, Solheim, Williams, and Lewis. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, McClurg, and Phares. Absent: Hawks. Motion carried.

B. BUSINESS AFFAIRS

University of Nebraska Central Administration

- Motion Moved by McClurg and seconded by Whitehouse to approve item IX-B-1
- IX-B-1 Approve new system-wide Board of Regents Policy RP-6.4.9 Fire Safety and Protection that requires residential facilities under the direction of the University of Nebraska Board of Regents to adhere to best safety practices

RP-6.4.9 Fire Safety and Protection

Each campus of the University and the Nebraska College of Technical Agriculture shall adhere to the following fire safety and protection practices.

For the purposes of this policy, "University-sanctioned housing" means housing owned and operated by the University of Nebraska, owned and operated by others for the university's benefit under a lease agreement, and university-sanctioned Greek residential facilities.

1. Except as may be otherwise approved by the Board of Regents, each campus will require sprinkling of University-sanctioned housing by 2017, including Greek residences. Any proposed exceptions will be submitted to the Board for approval.
2. Each campus will designate a Campus Fire Safety Officer (CFSO) responsible for fire safety in student housing.
3. Each campus will have in place systems of student conduct regulation, precautionary and preventive measures, and emergency action procedures that address high-risk behavior situations and incorporate best practices. The CFSO shall maintain all current fire safety and protection regulations and emergency procedures.
4. Each campus will employ licensed professional inspectors who will conduct inspections as required by law. In the case of University-sanctioned Greek housing, inspections will also be conducted by appropriate civil jurisdictions.
5. An official annual inspection report for each building will be kept on file, noting all fire safety and protection devices and all deficiencies found during the inspection.

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6. Deficiencies of existing fire alarm and sprinkler systems will be corrected immediately and records of corrected action maintained for a period of five years.
7. Upgrades of phasing and demolition plans, fire protection upgrades, names of responsible parties, results of inspections, fire alarms, and corrective action including disciplinary action, will be reported to the Board annually.

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

University of Nebraska Medical Center

Motion Moved by Ferlic and seconded by McClurg to approve item IX-B-2

IX-B-2 Approve the installation of a new chiller in the UNMC Central Utility Plant

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

University of Nebraska at Kearney

Motion Moved by McClurg and seconded by Schroeder to approve item IX-B-3

IX-B-3 Approve a Change Order in the amount of \$300,000 for construction of tunnels as part of the Residence Hall project

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

University of Nebraska-Lincoln

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

IX-B-4 Approve the Program Statement and Budget for the NanoScience Facility

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

C. FOR INFORMATION ONLY

IX-C-1 Board of Regents agenda items related to the University of Nebraska Strategic Framework

IX-C-2 Calendar of establishing and reporting accountability measures

IX-C-3 Current version of the University of Nebraska Strategic Framework

IX-C-4 Current version of the University of Nebraska Strategic Dashboard Indicators

D. REPORTS

IX-D-1 Personnel Reports for 2006-2007

IX-D-2 Programs with Tuition Variances

IX-D-3 Expedited approval of the University of Nebraska-Lincoln Graduate Certificate in Food Safety and Defense

IX-D-4 Expedited approval of the University of Nebraska-Lincoln Graduate Certificate in Logistics

IX-D-5 Semi-annual Report of licenses for the period ended June 30, 2007

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- IX-D-6 Semi-annual Report on the Status of Capital Projects exceeding \$5 million as of June 30, 2007
- IX-D-7 Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report for the period ended June 30, 2007
- IX-D-8 Gifts, Grants, Contracts and Bequests for the period April 1-June 30, 2007
- IX-D-9 Bids and Contracts for the period ended August 16, 2007
- IX-D-10 Changes in Construction Projects by Budget or Use Categories
- IX-D-11 Schematic Design Report for the University of Nebraska-Kearney Campus-wide Utilities Plant and System
- IX-D-12 Schematic Design Report for the Barkley Memorial Center Building Addition at the University of Nebraska-Lincoln
- IX-D-13 Schematic Design Report for the Physical Sciences Building at the University of Nebraska-Lincoln
- IX-D-14 Naming the new Student Housing Complex at the University of Nebraska Omaha "Maverick Village"
- Chairman Wilson accepted the reports.

X. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Lewis and seconded by Schroeder 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) Strategy with respect to the acquisition of real estate; and
- (b) Personnel matters involving members of the University staff.

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

Regent Wilson declared that the closed session would be strictly limited to a discussion of:

- (a) Strategy with respect to the acquisition of real estate; and
- (b) Personnel matters involving members of the University staff.

The Board went into closed session at 2:36 p.m. and reconvened the open meeting at 4:07 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:07 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Charles S. Wilson
Chairman of the Board