

**University of Nebraska Board of Regents  
Board of Regents Meeting  
Itinerary**

**Friday, January 22, 2010**

- 8:00 a.m.                    Legislative and Budget Update  
Presenter:     Speaker Mike Flood
- 8:30 a.m.                    Academic Affairs Committee  
Strategic Framework Report  
Topic:            Graduation Rates [1-b-iii] *[30 minutes]*  
Presenters:     President Milliken  
                     Pete Lipins, Institutional Research Analyst
- Topic:            Recruitment Update *[75 minutes]*  
Presenters:     Linda Pratt, Provost  
                     Alan Cerveny, Dean of Admissions, UNL  
                     Terry Hynes, Senior Vice Chancellor of Academic & Student Affairs, UNO  
                     Charles Bicak, Senior Vice Chancellor of Academic & Student Affairs, UNK  
                     Rubens Pamies, Vice Chancellor of Academic Affairs, UNMC
- 9:45 a.m.                    Break
- 10:00 a.m.                   Outreach and Economic Development Ad Hoc Committee  
Topic:            Urban Economic Development *[60 minutes]*  
Presenters:     Peter Kotsiopoulos, Vice President for University Affairs  
                     Wendy Birdsall, President, Lincoln Chamber of Commerce and President,  
                                 Lincoln Partnership for Economic Development (LEPD)  
                     Bradley Walker, President, Nanonation, Lincoln  
                     David Brown, President and CEO of the Greater Omaha Chamber  
                     John Oliver, Vice President Global Applications, Interpublic Group, Omaha
- 11:00 a.m.                   Business Affairs Committee  
Topic:            Audit Communications *[15 minutes]*  
Presenter:     State Auditor Mike Foley
- 11:15 a.m.                   Topic:            NCTA Design Report on the Education Building *[15 minutes]*  
Presenters:     Weldon Sleight, Dean, Nebraska College of Technical Agriculture  
                     Alan Moeller, Assistant Vice Chancellor, Institute for Agriculture & Natural  
                                 Resources
- Noon                            Lunch
- 1:00 p.m.                    **Board of Regents Meeting**

**AGENDA**  
**THE BOARD OF REGENTS**  
**OF THE UNIVERSITY OF NEBRASKA**  
**Varner Hall**  
**Friday, January 22, 2010**  
**1:00 p.m.**

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON  
DECEMBER 11, 2009

IV. ELECTION OF OFFICERS: Chairperson  
Vice Chairperson

V. KUDOS

*Darla Morris, Field Training Specialist, Nebraska Safety Center, University of Nebraska at  
Kearney*

*Melanie Stewart, Research Resources Manager, University of Nebraska Medical Center*

*David Daniels, Assistant Director of Fitness, Campus Recreation, University of Nebraska at  
Omaha*

*Beth Benson, Information Coordinator, Financial Systems, University of Nebraska-Lincoln*

*Linda Rizijis, Director of Nursing, University Health Center, University of Nebraska-Lincoln*

VI. PUBLIC COMMENT

The Standing Rules of the Board provide that any person who gives 24 hours notice to the Corporation Secretary of the Board may speak to any item that is not on the agenda. In addition, any person may appear and address the Board of Regents on any item on the agenda for this meeting. Each person will be given up to five minutes to make his or her remarks. Public comment will be limited to a period of 30 minutes.

VII. RESOLUTIONS

None

VIII. HEARINGS

Amendment of Section 1.2 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to adoption of rules and regulations for faculty and student self-government organizations and related public hearings

Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents* related to conflict of interest and nepotism

IX. UNIVERSITY CONSENT AGENDA

A. ACADEMIC AFFAIRS

1. The President's Personnel Recommendations Addendum IX-A-1

B. BUSINESS AFFAIRS

University of Nebraska

1. Approve the acceptance of the audited financial statements of the University of Nebraska and related entities Addendum IX-B-1
2. Approve the appointments of Regents Bob Phares and Kent Schroeder and Chancellor Harvey Perlman to the Othmer-Topp Endowments Committee Addendum IX-B-2

X. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

1. Amendment of Section 1.2 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to adoption of rules and regulations for faculty and student self-government organizations and related public hearings Addendum X-A-1
2. Approve the creation of the School of Interdisciplinary Informatics at the University of Nebraska at Omaha Addendum X-A-2
3. Approve the award of Honorary Degrees and Awards [Please note: this item will be voted on after the Closed Session] Addendum X-A-3

B. BUSINESS AFFAIRS

University of Nebraska

1. Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents* related to conflict of interest and nepotism Addendum X-B-1
2. Amendment of Section 3.2.8 of the *Policies of the Board of Regents* relating to conflict of interest Addendum X-B-2
3. Approve amendments to the current Collective Bargaining Agreement between the Board of Regents and the American Association of University Professors (UNO/AAUP) for the 2009-2011 biennium consistent with the agreed upon settlement in lieu of further appeal action of the Commission of Industrial Relations decision Addendum X-B-3
4. Approve Execution of a Contract with VMware, Inc and Leasing Agreement relating thereto with Dell Financial Services Addendum X-B-4

University of Nebraska-Lincoln

5. Approve the agreement with the 2010 National Games, a non-profit corporation, to lease certain University of Nebraska-Lincoln facilities and provide residential housing and food services for the 2010 Special Olympic Games Addendum X-B-5
6. Approve the disposal of certain buildings at the Nebraska Innovation Campus of the University of Nebraska-Lincoln Addendum X-B-6
7. Approve the Revised Budget and Schedule for the NanoScience Facility at the University of Nebraska-Lincoln Addendum X-B-7

University of Nebraska at Omaha – Additional Item

8. (1) Approve a ground lease agreement with the Suzanne and Walter Scott Foundation (Scott Foundation) to provide 480 beds of student housing and related parking on the UNO campus; and (2) authorize the President to execute all legal instruments necessary to carry out the terms and conditions of the lease agreement. Addendum X-B-8

C. FOR INFORMATION ONLY

1. University of Nebraska Strategic Planning Framework Addendum X-C-1
2. University of Nebraska Strategic Framework Accountability Measures Addendum X-C-2
3. Calendar of establishing and reporting accountability measures Addendum X-C-3
4. University of Nebraska Strategic Dashboard Indicators Addendum X-C-4
5. Board of Regents agenda items related to the University of Nebraska Strategic Framework Addendum X-C-5

D. REPORTS

1. Fall 2009 Tenure Density Report Addendum X-D-1
  2. Programs with Tuition Variances Addendum X-D-2
  3. Expedited approval of University of Nebraska at Omaha Graduate Certificate in Business Bioscientists within the graduate program of Business Administration Addendum X-D-3
  4. Report of Bids and Contracts Addendum X-D-4
- Additional Item
5. 1) Change to Board of Regents Policy 3.2.8, Conflict of Interest: Campus Conflict of Interest Policies; 2) Code of Conduct for University of Nebraska Student Financial Aid Workers Addendum X-D-5

XI. ADDITIONAL BUSINESS

**IX. UNIVERSITY CONSENT AGENDA**

**A. ACADEMIC AFFAIRS**

1. The President's Personnel Recommendations Addendum IX-A-1

**B. BUSINESS AFFAIRS**

University of Nebraska

1. Approve the acceptance of the audited financial statements of the University of Nebraska and related entities Addendum IX-B-1
2. Approve the appointments of Regents Bob Phares and Kent Schroeder and Chancellor Harvey Perlman to the Othmer-Topp Endowments Committee Addendum IX-B-2

The President's Personnel Recommendations  
Meeting Date: January 22, 2010

**University of Nebraska-Lincoln**

Adjustments

Ellen Weissinger, Interim Senior Vice Chancellor (Special) Academic Affairs, Professor (Continuous) Educational Psychology; effective 12/21/2009 with an indefinite end date until a new Senior Vice Chancellor of Academic Affairs is named; \$186,679 FY, 1.00 FTE (includes a stipend of \$16,971). Add title Interim Senior Vice Chancellor of Academic Affairs and remove title of Dean, Graduate Studies.

Kimberly A. Espy, Acting Dean (Special) Graduate Studies, Associate Vice Chancellor (Special) Research, Professor (Continuous) Psychology; effective 01/01/2010 with an indefinite end date until a new Senior Vice Chancellor of Academic Affairs is named; \$184,261 FY, 1.00 FTE (includes a stipend of \$16,751). Add title Acting Dean of Graduate Studies.

TO: The Board of Regents Addendum IX-B-1  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Financial Statements and related Auditors' Reports for the University of Nebraska and related entities

RECOMMENDED ACTION: Approve the acceptance of the audited financial statements of the University of Nebraska and related entities.

PREVIOUS ACTION: March 6, 2009 – The Board approved the acceptance of the Basic Financial Statements of the University of Nebraska.

EXPLANATION: Approval of this item will accept the following audits of the University of Nebraska and related entities for the year ended June 30, 2009:  
Basic Financial Statements  
UNMC Physicians

These statements have been reviewed and accepted by the Audit Committee.

Members of the public and news media may obtain a copy of the reports in the Offices of the University Corporation Secretary or the Vice President for Business & Finance, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

SPONSORS: David E. Lechner  
Vice President for Business and Finance

James B. Milliken  
President

RECOMMENDED: Jim McClurg, Chair  
Audit Committee

DATE: December 21, 2009

TO: The Board of Regents Addendum IX-B-2

Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Othmer-Topp Endowments Committee Appointments

RECOMMENDED ACTION: Approve the appointments of Regents Bob Phares and Kent Schroeder and Chancellor Harvey Perlman to the Othmer-Topp Endowments Committee.

PREVIOUS ACTION: April 26, 2003 – The Board approved the appointments of Kent Schroeder, Chuck Hassebrook, and Harvey Perlman to the Othmer-Topp Endowments Committee.

February 20, 1999 – The Board approved the appointments of the Chairperson of the Board of Regents, the Vice Chairperson of the Board of Regents, and the Chancellor of the University of Nebraska-Lincoln to the Othmer-Topp Endowments Committee

October 23, 1998 – The Board approved an Agency Agreement with the University of Nebraska Foundation providing for the management of the University's Othmer-Topp Endowments.

EXPLANATION: Section 7 of the Agency Agreement between the Board of Regents and the University of Nebraska Foundation providing for management of the University's Othmer-Topp Endowments provides for an Othmer-Topp Endowments Committee which has the duties to (1) review the investment guidelines of the Foundation in its management of the Othmer-Topp Endowments, (2) provide consultation to the Foundation regarding the selection of portfolio managers, (3) establish the University's spending policy for the Othmer-Topp Endowments, subject to approval by the Board of Regents, and (4) review and evaluate performance of the Foundation in the management and investment of the Othmer-Topp Endowments.

The Othmer-Topp Endowments Committee consists of the Vice President for Business and Finance (who is the Committee chair), the State Investment Officer, and three members appointed by the Board of Regents upon the recommendation of the President.

It is recommended that Regents Bob Phares and Kent Schroeder and Chancellor Harvey Perlman be appointed by the Board of Regents as members of the Othmer-Topp Endowments Committee.

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009



## **X. UNIVERSITY ADMINISTRATIVE AGENDA**

### **A. ACADEMIC AFFAIRS**

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2. Approve the creation of the School of Interdisciplinary Informatics at the University of Nebraska at Omaha Addendum X-A-2
3. Approve the award of Honorary Degrees and Awards [Please note: this item will be voted on after the Closed Session] Addendum X-A-3

### **B. BUSINESS AFFAIRS**

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#### University of Nebraska-Lincoln

5. Approve the agreement with the 2010 National Games, a non-profit corporation, to lease certain University of Nebraska-Lincoln facilities and provide residential housing and food services for the 2010 Special Olympic Games Addendum X-B-5
6. Approve the disposal of certain buildings at the Nebraska Innovation Campus of the University of Nebraska-Lincoln Addendum X-B-6
7. Approve the Revised Budget and Schedule for the NanoScience Facility at the University of Nebraska-Lincoln Addendum X-B-7

#### University of Nebraska at Omaha – Additional Item

8. (1) Approve a ground lease agreement with the Suzanne and Walter Scott Foundation (Scott Foundation) to provide 480 beds of student housing and related parking on the UNO campus; and (2) authorize the President to execute all legal instruments necessary to carry out the terms and conditions of the lease agreement. Addendum X-B-8

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Amendment of Section 1.2 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to adoption of rules and regulations for faculty and student organizations and related public hearings.

RECOMMENDED ACTION: Approve amendment of Section 1.2 paragraph three of the *Bylaws of the Board of Regents of the University of Nebraska* to revise the process for approval of rules and regulations for faculty and student self-government organizations.

PREVIOUS ACTION: Section 1.2 of the *Bylaws* was originally enacted on August 20, 1973. It has since been amended on March 16, 1991, and June 16, 1984.

EXPLANATION: The Board has delegated to the faculty and recognized student groups the authority to develop reasonable rules and regulations for faculty and student self-government. The amendment provides for the required public hearing to be held with the cognizant faculty or student group rather than at a public meeting before the Board of Regents. The General Counsel will review and approve the proposed rules and regulations, including any related amendments to ensure compliance with applicable policies, laws and regulations. The rules and regulations and amendments thereto will be reported to the Board of Regents. The President and cognizant chancellor will receive the notice of hearing on proposed changes.

The text of the proposed *Bylaws* amendment is as follows:

**1.2 The Board of Regents of the University of Nebraska.** The Board of Regents of the University of Nebraska, a body corporate created by the people of Nebraska through the Constitution, has constitutional and statutory power for general supervision over all elements of the University, control and direction of all expenditures, and for general operating policies of the University. The Board of Regents consists of eight elected members, who are elected for six-year terms, and four nonvoting Student Regents, as provided in section 1.2.1 of these *Bylaws*. Members hold office until their terms have expired. The Governor fills Board vacancies by appointment as provided in Neb. Rev. Stat. 85-103. The term "Board" when used in these *Bylaws*, shall mean the Board of Regents of the University of Nebraska.

The Board exercises the final authority in government of the University within the limits of the Constitution, the laws of the State of Nebraska, and the laws of the United States. The Board hereby delegates to the President of the University, and through him or her to the appropriate administrative officers, general authority and responsibility to carry out the policies and directions of the Board. The Board hereby delegates to the faculty and recognized student groups of each of the administrative units the authority to develop reasonable rules and regulations for faculty and student self-government; ~~subject to approval of the Board.~~

In any case where any officer, group or agency has been authorized by these *Bylaws* to adopt rules or regulations, such rules or regulations, before they may be effective, shall be; (1) ~~be subject to review by the Board;~~ (2) ~~be considered by the Board~~ officer, group or agency at a public hearing held after giving reasonable advance public notice thereof required by law; and (3) ~~if approved by the Board;~~ (2) reviewed and approved by the General Counsel for consistency with these Bylaws and applicable policies, laws and regulations and State Statute and (3) filed with the Corporation Secretary for report to the Board being effective as rules and regulations of the Board. The President and cognizant Chancellor are to be timely provided with a courtesy copy of any public hearing notice.

All delegation of authority under these *Bylaws* is subject to the condition that in all matters involving students, faculty, and the operation of the University, the Board reserves to itself all powers and responsibilities to take any action required in the exercise of its constitutional and statutory responsibilities in any situation.

SPONSOR: Joel D. Pedersen  
Vice President and General Counsel

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Creation of the University of Nebraska at Omaha (UNO) School of Interdisciplinary Informatics

RECOMMENDED ACTION: Approval of the creation of the UNO School of Interdisciplinary Informatics

PREVIOUS ACTION: April 24, 2009 – The Board approved the Bachelor of Science in IT Innovation  
June 14, 2007 – The Board approved the Bachelor of Science in Information Assurance  
April 24, 2004 – The Board approved the Bachelor of Science in Bioinformatics

EXPLANATION: The University of Nebraska at Omaha requests the formation of a *School of Interdisciplinary Informatics* in the College of Information Science and Technology. The information technology (IT) industry has seen tremendous growth in innovation and opportunities for employment, particularly in the Omaha area. Progress in the core IT areas of computer science (CS) and information systems (MIS) is happening fast, almost on a daily basis. IT as a discipline and profession has evolved from the support role it played in organizations to a driver of innovation.

The new role of IT involves a complete integration with various disciplines. This has resulted in the creation of leading edge areas like bioinformatics, public health informatics, information assurance, IT innovation, collaboration science, and multimedia systems. In this new role, IT is fast becoming the basis for the development of tools and innovations that are needed in other disciplines, particularly biological sciences and health care. The proposed *School of Interdisciplinary Informatics* in the College of IS&T at UNO will take advantage of the tremendous growth potential of these new IT areas by providing an organizational home for faculty and staff engaged in these nontraditional areas while reinforcing the strengths of basic IT programs in computer science and management information systems.

As an academic unit within the UNO College of Information Science and Technology, the proposed School of Interdisciplinary Informatics will be an integral aspect of the College's full participation in the Peter Kiewit Institute (PKI) of Information Science, Technology and Engineering of the University of Nebraska.

The proposed School will house the undergraduate and graduate degrees in Bioinformatics and Information Assurance as well as the recently approved Bachelor of Science degree in IT Innovation. Current faculty members associated with these programs will form the core faculty of the School. The School will also be the academic unit for faculty involved in emerging interdisciplinary IT initiatives like Collaboration Science and Public Health Informatics and position the university and college to meet future needs.

The new School of Interdisciplinary Informatics will address the following needs and demands from academic, business, and community stakeholders: (1) promote growth of interdisciplinary areas; (2) facilitate innovative partnerships with external constituents, including leveraging the expertise of the local community; (3) legitimize diversity of personnel; (4) reduce barriers to collaboration; (5) provide a flexible and agile structure for quick response to opportunities; (6) solidify regional and national recognition for the study and advancement of IT in the domain of healthcare, biosciences, and information security; (7) promote visibility of the College and its interdisciplinary focus; (8) provide a magnet for collaborative external funding; and (9) help the next-generation workforce address local, regional and national needs. The complexity of the needs and demands of stakeholders as well as the complexity of the three existing academic programs demonstrate that a school is the most appropriate academic structure.

The addition of the School for Interdisciplinary Informatics will ensure that the College of Information Science & Technology can create a niche to sustain the roots of the IT field (computer science and MIS) while allowing new, applied disciplines such as bioinformatics and information assurance to bloom in an appropriate organizational structure. The new School will also enhance the visibility and prestige of the College by creating a unique institutionalized focus on interdisciplinary informatics.

The proposed School reflects the role and mission of UNO and The Peter Kiewit Institute. It is a direct response to the opportunities and challenges presented by information technology as it relates to economic growth for the state and region. It will increase research and creative activity and lead to increased national visibility of the University of Nebraska in the area of interdisciplinary applications of information technology. The proposed unit is consistent with expectations of the business community, the strategic plans of the College, UNO and the PKI.

The proposal has the support of the UNO College of Information Science and Technology, Educational Policy Advisory Committee, Deans' Forum, Faculty Senate, and Chancellor's Cabinet as well as the NU Chief Academic Officers.

PROJECT COST: \$728,277

**SOURCE OF FUNDS:** Reallocation of existing faculty and staff lines and operating budget to the School.

**SPONSORS:** Hesham Ali  
Dean, College of Information Science & Technology

Terry Hynes  
Sr. Vice Chancellor for Academic and Student Affairs

Michael McGinnis  
Executive Director Peter Kiewit Institute

**RECOMMENDED:** John Christensen, Chancellor  
University of Nebraska at Omaha

**DATE:** December 21, 2009

# UNO IS & T School of Interdisciplinary Informatics

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## PROPOSAL FOR A SCHOOL OF INTERDISCIPLINARY INFORMATICS (Si<sup>2</sup>) IN THE UNIVERSITY OF NEBRASKA AT OMAHA COLLEGE OF INFORMATION SCIENCE & TECHNOLOGY

### **Descriptive Information**

Proposed by:	College of Information Science & Technology, University of Nebraska at Omaha
Programs/Majors	Bachelor of Science in Bioinformatics; Bachelor of Science in Information Assurance; Bachelor of Science in IT Innovation
Other Programs:	None

Administrative hierarchy/context for the School or College:

The proposed School of Interdisciplinary Informatics will be an academic unit in the University of Nebraska at Omaha (UNO) College of Information Science and Technology (IS&T). The director of the school will report to the Dean of the College in the same manner as current department chairs.

As an academic unit within the UNO College of Information Science and Technology, the proposed School of Interdisciplinary Informatics will be an integral aspect of the College's full participation in the Peter Kiewit Institute (PKI) of Information Science, Technology and Engineering of the University of Nebraska. The proposed school is consistent with the Institute's purpose to "create an international center of excellence in information science, technology and engineering by the development and support of the highest quality programs in each college..." (PKI Charter, p. 1).

# UNO IS & T School of Interdisciplinary Informatics

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## **1. Purpose and Context for the School of Interdisciplinary Informatics**

The faculty in the College of Information Science & Technology (IS&T) UNO request the formation of a *School of Interdisciplinary Informatics*. The information technology (IT) industry has seen tremendous growth in innovation and opportunities for employment, particularly in the Omaha area. With Google and Yahoo's move to the greater Omaha area, IT and its related development are likely to continue to be a significant focus for the greater Omaha region. Progress in the core IT areas of computer science (CS) and information systems (MIS) is happening fast; almost on a daily basis. In essence, IT as a discipline and profession has evolved from the support role it played in organizations to a driver of innovation. IT is now embedded in everything we do and is a critical strategic resource for organizations.

The new role of IT involves a complete integration with various disciplines. This has resulted in the creation of exciting new areas such as bioinformatics, public health informatics, information assurance, IT innovation, collaboration science, and multimedia systems. In this new role, IT is fast becoming the basis for the development of tools and innovations that are needed in other disciplines, particularly biological sciences and health care. The proposed *School of Interdisciplinary Informatics* in the College of IS&T at UNO will take advantage of the tremendous growth potential of these new IT areas by providing an organizational home for faculty and staff engaged in these nontraditional areas while reinforcing the strength of basic IT programs in computer science and management information systems. The faculty believes that this new unit will also provide the focus and visibility that is necessary to nurture new interdisciplinary areas in nascent stages of development in the College including biomedical informatics, information assurance, IT innovation, education informatics, e-government, multimedia interactive design, public health informatics, IT for development, and engineering informatics. The School of Interdisciplinary Informatics provides an organizational structure that allows for innovative new programming and growth without significant administrative costs.

The College of IS&T currently has two departments: Computer Science, and Information Systems & Quantitative Analysis. These departments offer traditional computer science (CS) and management information systems (MIS) degrees at the undergraduate and graduate levels. In addition the departments offer some interdisciplinary specializations in the areas mentioned previously. In the view of the IS&T faculty, the future of IT education and research lies in interdisciplinary domains that evolve on top of the fundamental IT foundations of MIS and CS. The new School will allow the College to build upon a growing number of interdisciplinary programs efficiently while leveraging existing organizational structures and programs. The vision for the School of Interdisciplinary Informatics is to build on the College's strengths *with* these specialists who *are* uniquely positioned to work in interdisciplinary domains and careers.

The proposed School will house the undergraduate and graduate degrees in Bioinformatics and Information Assurance. In addition, it will be the home of the recently approved Bachelor degree in IT Innovation. Current faculty members associated with these programs will form the core faculty of the School. The School will also be the academic unit for



faculty in the emerging interdisciplinary IT initiatives like Public Health Informatics and will position the university and college to achieve our goal of a leadership role in the development of emerging IT interdisciplinary areas. There are ten faculty members of the College who will have the School as their *primary* academic home. Many members of other units in the College and units in the NU system will serve as associate faculty with joint or special appointments in the School but with primary appointment in another appropriate department or school.

## **2. Need and Demand for the School of Interdisciplinary Informatics**

The new School of Interdisciplinary Informatics would address the following needs and demands for our academic, business, and community stakeholders: (1) promote growth of interdisciplinary areas; (2) facilitate innovative partnerships with external constituents, including leveraging the expertise of the local community; (3) legitimize diversity of personnel; (4) reduce barriers to collaboration; (5) provide a flexible and agile structure for quick response to opportunities; (6) solidify regional and national recognition as an important resource for the study and advancement of IT in the domain of healthcare, biosciences, and information security; (7) promote visibility of the College and its interdisciplinary focus; (8) provide a magnet for collaborative external funding; and (9) help the next-generation workforce address local, regional and national needs in exciting new interdisciplinary domains. The complexity of the needs and demands of stakeholders as well as the complexity of the three existing academic programs demonstrate that a school is the most appropriate academic structure.

**Growth of Interdisciplinary Areas.** The new School will provide a vehicle for promoting growth of interdisciplinary areas. The three existing undergraduate programs and the faculty associated with those provide a strong foundation for the development of new programs as well as leveraging the capacity of existing programs. For example, the *School* would be uniquely positioned to offer interdisciplinary certificate programs. The College currently offers a modest number of graduate certificates within the core departmental programs. Interdisciplinary certificates provide a unique opportunity for students to develop in important areas of intersection. Information assurance, collaboration science and project management are examples of areas in demand across disciplines.

**Innovative Partnerships.** Partnering with external constituents is a core element of IS&T's identity. Like UNO generally, the college already has deep commitments in the local community. IT is not a stand-alone discipline but is inextricably linked with the management and work practices of the people and organizations that the college serves. The College must continue to build new partnerships with those people and organizations, and the new School will further facilitate its ability to do so.

**Diversity of Personnel.** The School will recognize and emphasize the diversity that the college has already begun to build. The School will be able to take advantage of designations such as professor of practice, expert-in-residence, research and technology fellow, and post doc fellow to invite experts in residence to participate in research, teaching, educational and training activities in these areas.

**Ease of Collaboration.** The School will help to reduce traditional barriers to multidisciplinary collaboration. Modern organizations understand the importance of collaboration across both

internal and external boundaries, and the School can be a unique place to foster that collaboration. The College has already held collaboration retreats with other units on campus as well as business partners, and the School will provide a home for the interdisciplinary initiatives that have started to emerge from those efforts.

**Agile Structure.** The proposed structure for the School is a flexible and agile one that will make it possible for the College and University to respond quickly to new opportunities. The College already has a relatively flat organizational structure and this added flexibility will feed the agility that will be the hallmark of the School.

**Recognized Resource.** The School will serve as a catalyst to solidify the college, university, and PKI regional and national recognition as important resources for education and research in healthcare, biosciences, IT management and information security. Providing an integrated structure for these important areas is essential to their development.

**Visibility of Focus.** The interdisciplinary focus of the College needs to be promoted and the School is the perfect vehicle for doing so. For example, the College hosts three international journals and has also hosted various regional and international workshops and conferences including some in emerging interdisciplinary domains such as bioinformatics and information assurance.

**Magnet for Collaborative External Funding.** Due to its fundamentally interdisciplinary nature, the School will serve as a vehicle for research and applied R&D funding from federal and state agencies, private and government organizations.

**Next-Generation Workforce.** The School is an essential vehicle for the State of Nebraska to develop the next-generation workforce that will address local, regional, and national needs in new, interdisciplinary domains. Universities are often criticized for not being responsive to changes in workforce needs. The integrative focus and responsive structure of this School directly address that criticism.

The specific points listed above are not independent of one another; instead they complement and reinforce each other. The flexible nature of the School's structure promotes collaboration and makes it possible to create innovative relationships. The explicit attention to building diversity of personnel also sparks innovation and responds to needs in the new workforce. Overall, IT is currently influencing the advancement of almost all other fields of study. A School of Interdisciplinary Informatics has the potential to provide significant benefit in terms of innovation, diversity, collaboration, agility, visibility, and workforce development.

### **3. Adequacy of Resources**

The School's director will be a current faculty member who will be assigned three workload hours per semester to coordinate and foster collaborative activities with College partners, schedule courses, and advise students. There will be some additional cost of adjunct staff to cover the teaching lost through this assigned time. along with the standard administrative stipend for chairs/directors. The School will also need some operating budget to cover general expenses.

Current CIS&T faculty in the IT interdisciplinary areas, such as Information Assurance and Bioinformatics, will have the School as their academic home. In addition, additional faculty/staff expertise will be drawn from the existing units of the College and from the broader campus community as needed. No new faculty lines are required. In this model, several existing faculty from the College and campus will be awarded a joint appointment in the School, but their academic homes will remain their primary departments/schools.

The School will allow the College to consolidate the efforts currently invested independently in managing the various interdisciplinary degrees and advising associated students. Hence, having the School will allow us to manage the various IT interdisciplinary degrees more efficiently, which in turn will result in overall savings in the allocated resources.

#### **4. Organizational Structure and Administration**

The leadership of the School is designed to be a very thin layer of administration. The School will be led by a director who will be a full-time member of the College faculty. A part time staff assistant will support the director. The director will report to the Dean.

Faculty/staff expertise in the School will be drawn from the various College units and from the broader campus community as needed. As indicated earlier, there will be ten (10) faculty who will have their primary academic appointment in the School. Faculty in other IST departments or other colleges will be awarded a joint or special appointments in the School. A committee of faculty/staff appointed by the Dean will evaluate requests for joint appointment to the School. Requests may come in the form of nominations from peers or self-nominations.

The initial organization for the School will involve undergraduate program committees in information assurance, bioinformatics, and IT Innovation reporting to the Dean of the College through the Director of the School.

Community advice for new initiatives will be funneled through the College of IS&T's current community advisory committee which already includes senior executives from Gallup, Qwest, Mitre, Mutual of Omaha, Union Pacific, Children's Hospital, Nebraska Medical Center and First National Bank. The group will be further expanded to include representatives from the community who have a direct interest in the activities of the new School.

#### **5. Partnerships with Organizations**

The City of Omaha and the State of Nebraska are home to many technology-related businesses and organizations. In recent years, there has been a tremendous necessity for new areas of growth in IT consulting, IT training and new-product development for medical informatics and information security (assurance) domains. Some faculty and staff in the College have been working closely with partner firms such as Mitre Corporation, Lockheed Martin, Union Pacific, and 21<sup>st</sup> Century Systems on information-assurance-related projects, while others have worked with the University Medical Center and some startup firms on projects relating to medical informatics.

In fact, the local business community has provided the impetus for the vision and

implementation of the School of Interdisciplinary Informatics in the College of IS&T. Clearly, the ability to achieve the ambition of the local business community to make the College of IS&T and PKI a nationally known institution of higher learning in the IT arena will continue to require close interaction with private and public sector organizations in the region. The School is consistent with and supports the five major purposes of PKI outlined in its 2008 charter (PKI Charter, pp. 1-2).

The proposed School will also strengthen and expand the College partnerships with the public sector and not-for-profit organizations. The emerging of eGovernment and Public Health Informatics are examples of many initiatives in the public sector that leverage the interdisciplinary aspects of IT. The School will significantly improve the College's ability to foster current partnerships and create many new ones.

## **6. Collaborations with Higher Education Institutions Internal and External to the University**

The College has been active in establishing and fostering a variety of collaborative activities both internal and external to UNO. The School can serve as an essential conduit for building on and enhancing those collaborations. Examples of current collaborations include:

UNMC (Department of Pathology and Microbiology; College of Nursing; College of Medicine; Health Informatics Program; Bioinformatics Program)

- BS in Bioinformatics – Developed in collaboration with UNMC's department of pathology and microbiology.
- MS and PhD track in Bioinformatics – The Bioinformatics track is offered in the MS and PhD in Pathology and Microbiology at UNMC and is managed by a joint UNO/UNMC committee.
- MS in MIS with Health Informatics Concentration – The area of concentration in health informatics within the College's MS in MIS program is a joint effort between the College and UNMC's Health Informatics Program (HIP).

Articulation agreements with community Colleges to transfer credit to UNOmaha

- Metropolitan Community College (MCC)
- Iowa Western Community College
- Central Community College
- Mid-Plains Community College
- Western Nebraska Community College

Dual Enrollment Program with High Schools

- Millard Public Schools (Millard North, Millard South, Millard West)
- Omaha Public Schools (Omaha North, Burke, Omaha Central)
- Skutt Catholic High School

College of Arts and Science, UNO

- BS in Bioinformatics – Developed in collaboration with Biology Department
- BS in Information Assurance - Developed in collaboration with Mathematics Department

College of Business Administration, UNO

- MS in MIS/MBA dual degree track
- Minor in MIS for Accounting majors

College of Communications, Fine Arts and Media, UNO

- Interactive Media and Visualization – Developed in collaboration with Art and Art History Department and School of Communications

College of Public Affairs and Community Service, UNO

- BS in Information Assurance - Developed in collaboration with School of Criminology and Criminal Justice
- MS in MIS/MPA dual degree track
- MS in MIS area of concentration in Geographic Information Systems (GIS)

Center for Collaboration Science – This center is a partnership among all six UNO Colleges and is administered by the office of Academic and Student Affairs.

Creighton University’s College of Business – Joint CEO Lecture Series in Information Technology

Collaboration retreats – The College has held collaboration retreats for identifying opportunities to work together in research, teaching, and service with the following internal and external constituents: College of Education, College of Business Administration, College of Engineering, Mutual of Omaha and Union Pacific.

As indicated earlier, the School will be an integral unit in furthering the College’s role in PKI.

## **7. Constituencies to be Served**

The College of IS&T at UNO has a board of advisors that provides community input and resources when needed for College programs. The advisory board of the College currently includes senior executives from many major Omaha firms such as First National Bank of Omaha, Mitre Corp, Qwest, Union Pacific, Gallup, UNMC, Children’s Hospital and Mutual of Omaha. In addition, The Peter Kiewit Institute has a board of policy advisors consisting of 11 CEOs and/or senior executives from business and industry including HDR, Level 3 Communications, Behlen Manufacturing, Qwest, Alltel, World Companies, Omaha World-Herald, and Connectivity Solutions. These advisors at the College and Institute level, and the businesses they represent, help ensure that PKI and the College remain responsive to the needs of industry and maintain broad-based community support now and into the future.

## **8. Anticipated Outcomes, Significance, and Specific Measures of Success**

The addition of the School for Interdisciplinary Informatics will ensure that the College of Information Science & Technology can create a niche to sustain the roots of the IT field (computer science and MIS) while allowing new applied disciplines such as bioinformatics and information assurance to bloom in an appropriate organizational structure. The new School will also enhance the visibility and prestige of the College by creating a unique institutionalized focus on interdisciplinary informatics. This will in turn increase the demand for the College’s

programs and its graduates, enabling faculty to compete more effectively for extramural funding, while enhancing the ability of faculty and students to engage in community outreach. A major indicator of success will be the College's ranking relative to similar IT Colleges in the country. Other quantitative measures of success will include (1) the amount of extramural funding obtained by faculty associated with the School and affiliated research initiatives, (2) the number of undergraduate and graduate majors in the School's bioinformatics and information assurance programs, (3) the number of articles published by faculty in scholarly journals, and (4) the amount of grants and contracts with state and local agencies and community stakeholders.

## **9. Centrality to Role and Mission of the Institution**

The proposed School reflects the role and mission of UNO and The Peter Kiewit Institute in a number of ways. It is a direct response to the opportunities and challenges presented by information technology as it relates to economic growth for the state and region. It will increase research and creative activity and lead to increased national visibility of the University of Nebraska in the area of interdisciplinary applications of information technology. In effect, the program is an appropriate educational opportunity in which knowledge will be discovered and disseminated through research and teaching. The proposed unit is consistent with expectations of the business community, the strategic plans of the College, UNO and the PKI.

## **10. Consistency with the University of Nebraska Strategic Framework**

The UNO School of Interdisciplinary Informatics provides the appropriate organizational format to support outstanding and innovative undergraduate and graduate program in areas where the university is a regional, national, and international leader and which are aligned with the long-term interests of Nebraska (Goal 2 b and c). Additionally, the School of Interdisciplinary Informatics will support the programs and faculty that are essential in building a talented, competitive workforce and knowledge-based economy (Goal 3).

## **11. Potential for the Program to Contribute to Societal Development**

The interdisciplinary School has an enormous potential to exploit a collection of niche areas that have direct relevance to the local and regional economy and to be an engine for the next decade of societal and economic development in areas of our life where IT is most crucial: healthcare information management, biosciences, information security, and public policy. In particular, faculty, staff and students in the College currently participate in and will continue to participate in activities such as the Nebraska Health Informatics Initiative, development of health/bioscience related software applications, assessment of security threats and training of corporate and defense information security professionals and use of collaboration technologies to impact public engagement.

The College already has many interdisciplinary collaborations with various UNO

Colleges, UNMC and a number of business partners. The School will become the hub of such interdisciplinary activities and will also further support and strengthen partnerships with regional and local corporations and government agencies. Currently there are nearly 75 students enrolled in the Bioinformatics and Information Assurance (IA) undergraduate degree programs. The School's visibility will help to grow these numbers.

**12. Consistency with the Comprehensive Statewide Plan for Postsecondary Education: How the School or College Would Enhance Relevant Statewide Goals for Education**

The proposed School reflects the role and mission of UNO's College of Information Science & Technology, The Peter Kiewit Institute, and the University of Nebraska at Omaha in a number of ways. It is a direct response to the opportunities and challenges presented by information technology as it relates to economic growth for the state and region in applied IT areas such as medical informatics and information assurance. The School will allow the enhancement and fostering of new educational, research and creative activities by bringing together practitioners, researchers and students in interdisciplinary fields of importance to the state and the University. The new School will be unique in the country and should lead to increased national visibility of the University of Nebraska in the area of interdisciplinary applications of information technology. The proposed School's mission is consistent with expectations of the business community, the strategic plans of the College of IS&T and The Peter Kiewit Institute, and the statewide mandate for undergraduate and graduate education in Information Science and Technology as assigned by the Public Postsecondary Education report (November 2000, Chapter 7, pp. 88-89).

Approved by UNO Faculty Senate: May 13, 2009; Educational Policy Advisory Committee: May 4, 2009; UNO Deans' Forum: June 22, 2009; UNO Chancellor's Cabinet, June 30, 2009.

**TABLE 1: PROJECTED EXPENSES - School of Interdisciplinary Informatics**

	(FY2009) Year 1		(FY2010) Year 2		(FY2011) Year 3		(FY2012) Year 4		(FY2013) Year 5		Total	
<b>Personnel</b>	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost	FTE	Cost
Faculty <sup>1</sup>	6.55	\$680,435	6.55	\$700,848	6.55	\$721,873	6.55	\$743,530	6.55	\$765,836	6.55	\$3,612,522
Non-teaching staff: Professional <sup>2</sup>												
Graduate assistants	2.0	\$23,842	2.0	\$24,557	2.0	\$25,294	2.0	\$26,053	2.0	\$26,834	2.0	\$126,580
Non-teaching staff: support	0.5	\$20,000	0.5	\$20,600	0.5	\$21,218	0.5	\$21,855	0.5	\$22,510	0.5	\$106,183
Subtotal	9.05	\$724,277	9.05	\$746,005	9.05	\$768,385	9.05	\$791,437	9.05	\$815,180	9.05	\$3,845,285
<b>Operating</b>												
General Operating <sup>3</sup>		\$4,000		\$4,120		\$4,244		\$4,371		\$4,502		\$21,237
Equipment <sup>4</sup>												\$0
New or renovated space <sup>5</sup>												\$0
Library/Information Resources <sup>6</sup>												\$0
Other <sup>7</sup>												\$0
Subtotal		\$4,000		\$4,120		\$4,244		\$4,371		\$4,502		\$21,237
<b>Total Expenses</b>	9.05	\$728,277.00	9.05	\$750,125.31	9.05	\$772,629.07	9.05	\$795,807.94	9.05	\$819,682.18	9.05	\$3,866,521.50

<sup>1</sup> Show the number of additional full-time equivalent faculty and related salary and fringe benefit expenditures needed to implement and maintain the unit. (These faculty FTE will be obtained through the reallocation of current faculty. Assumes a 3% total annual growth rate in salary)

<sup>2</sup> Show the number of additional full-time equivalent professional staff and related salary and fringe benefit expenditures needed to implement and maintain the unit.

<sup>3</sup> Included in this category should be allowances for faculty development, laboratory supplies, travel, memberships, office supplies, communications, data processing, equipment maintenance, rentals, etc. (Assumes a 3% annual increase in operating expenses)

<sup>4</sup> Show anticipated expenditures for the acquisition of new or upgrades or replacement of existing equipment necessary for the implementation and/or operation of the unit.

<sup>5</sup> Identify the space for the proposed unit, if appropriate. Show projected expenditures for any facilities (general classroom, laboratory, office, etc.) that will be required. Include renovation of existing facilities and construction of new facilities.

<sup>6</sup> Show anticipated expenditures for library materials or other informational resources directly attributable to the new unit.

<sup>7</sup> Additional Other Expenses: Show other expenses not appropriate to another category.

NOTE: All items requiring explanation may be included on this page or in the proposal narrative.



**TABLE 2: REVENUE SOURCES FOR PROJECTED EXPENSES - School of Interdisciplinary Informatics**

	FY(2009) Year 1	(FY2010) Year 2	(FY2011) Year 3	(FY2012) Year 4	(FY2013) Year 5	<b>Total</b>
Reallocation of Existing Funds <sup>1</sup>	\$691,159.00	\$711,893.77	\$733,250.58	\$755,248.10	\$777,905.54	\$3,669,457
Required New Public Funds <sup>2</sup>						\$0
1. State Funds						\$0
2. Local Funds						\$0
Tuition and Fees <sup>3</sup>						\$0
Other Funding <sup>4</sup>						\$0
1. Grants & Projects	\$37,118.00	\$38,231.54	\$39,378.49	\$40,559.84	\$41,776.64	\$197,065
2						\$0
3						\$0
Total Revenue <sup>5</sup>	\$728,277.00	\$750,125.31	\$772,629.07	\$795,807.94	\$819,682.18	\$3,866,522

<sup>1</sup> Show the total amount of dollars the institution will reallocate from its budget to support this unit. Identify the source of funding and provide an explanation of the impact that the redistribution of funds and other resources will have on exiting programs or unit. *The funds are a reallocation of the existing faculty and staff positions and operating budgets that will be reassigned to the School of Interdisciplinary Informatics.*

<sup>2</sup> This represents a requirement for additional public funds to support this unit. If additional state funds are required, this request will have to be included in the institution's budget request. Separately detail all sources for additional funds. For community colleges, this would include local tax funds.

<sup>3</sup> Show additional tuition and fee revenues that will be used to support this unit.

<sup>4</sup> Show the amount of external funding or donations which will become available each year to support this unit. Include a brief explanation of the nature of these resources including their specific source and the term of the commitment. *Existing grants and contracts are available to provide these funds. We anticipated existing and/or new grants and contracts funding will be available for the next five years. If such funding was not available, the corresponding graduate assistants would be not hired.*

<sup>5</sup> **Revenues are not expected to match expenses.**

NOTE: Where appropriate, show calculations and/or formulas that were used to project new revenue; e.g. number of new students projected multiplied by tuition and fees.

TO: The Board of Regents Addendum X-A-3  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Honorary Degrees and Awards

RECOMMENDED ACTION: Approve the award of Honorary Degrees and Awards [Please note: this item will be voted on after the Closed Session]

PREVIOUS ACTION: The Board of Regents approved the current policies for awards found in the *University of Nebraska Board of Regents Policies* under RP-1.5.1-RP-1.5.5.

EXPLANATION: None

PROJECT COST: None

SOURCE OF FUNDS: None

SPONSORS: The Board of Regents Committee on Honorary Degrees and Awards

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009

TO: The Board of Regents Addendum X-B-1  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Amendment of Section 3.8 and adopt a new Section 3.2.2 of the *Bylaws of the Board of Regents of the University of Nebraska* related to conflict of interest and nepotism.

RECOMMENDED ACTION: Approve amendment of Section 3.8 relating to Conflict of Interest and adopt a new section 3.2.2 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to Nepotism.

PREVIOUS ACTION: Section 3.8 was last amended in April of 1982.

EXPLANATION: The existing Board bylaw 3.8 relating to Conflict of Interest is amended to provide a separate stand alone provision for Nepotism consistent with state law and to provide a reference to the Board's Conflict of Interest and Conflict of Commitment policy. The new section 3.2.2 contains the recommended bylaw provisions for the University's prohibition of nepotism.

The amendment to bylaw 3.8 is as follows:

**3.8 Conflict of Interest.** No employee of the University shall engage in any activity that in any way conflicts with duties and responsibilities at the University of Nebraska. *The Board of Regents has adopted Regents Policy 3.2.8 and authorized the implementation of related policies and directives to properly avoid, disclose and manage potential conflicts of interest. ~~nor shall any employee hire or supervise a member of his or her immediate family without expressed written consent of the Board.~~*

The text of the proposed new section 3.2.2 is as follows:

3.2.2 Nepotism. Subject to the powers vested in the Board, and consistent with the provisions of Neb. Rev. Stat. 49-14-1401, the following shall constitute the Policy of the University prohibiting nepotism.

3.2.2.1 Except as authorized in section 3.2.2.4 of these By-Laws, an official or employee in the University shall not engage in nepotism.

3.2.2.2 For purposes of section 3.2.2 of these By-Laws: (a) Family member means an individual who is the spouse, child, parent, brother, sister, grandchild, or grandparent, by blood, marriage, or adoption, of a University official or employee; (b) Nepotism means the act of hiring, promoting, or advancing a family member in the University or recommending the hiring,

promotion, or advancement of a family member in the University, including initial appointment and transfer to other positions in the University; and (c) Supervisor means an individual having authority, in the interest of the University, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline employees, responsibility to direct them or to adjust their grievances, or effectively to recommend any such action, if the exercise of such authority is not merely of a routine or clerical nature but requires the use of independent judgment.

3.2.2.3 In addition to the other penalties provided by law, any University employee violating the provisions above may be subject to disciplinary action.

3.2.2.4 (a) The President or the cognizant Chancellor may, upon a written showing of good cause, grant an exception to section 3.2.2.1 of these By-Laws. The written showing of good cause shall be filed with the appropriate University records officer and shall be considered a public record. (b) An official or employee who becomes a supervisor to his or her family member other than by means of nepotism shall notify the President or cognizant Chancellor within seven days of becoming aware of such situation and may continue to act as a supervisor until the President or cognizant Chancellor remedies the situation. The President or cognizant Chancellor shall act as soon as practicable.

3.2.2.5 The President and Chancellors may develop and implement internal policies and directives prohibiting nepotism and the supervision of a family member.

SPONSOR: Joel D. Pedersen  
Vice President and General Counsel

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009

TO: The Board of Regents Addendum X-B-2  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Amendment of Section 3.2.8 of the *Policies of the Board of Regents* relating to conflict of interest.

RECOMMENDED ACTION: Approve amendment of RP-3.2.8, Conflict of Interest and Conflict of Commitment.

PREVIOUS ACTION: March 24, 1995 – The Board approved amendments to the Conflict of Interest Policy to define a significant financial interest and modify the definition of immediate family to conform to federal regulatory changes.  
February 13, 1993 – The Board approved the original Conflict of Interest Policy.

EXPLANATION: The updated policy contains significant revisions as follows:  
Minimum requirements set at University wide level to manage and disclose conflict of interest and conflicts of commitment, including provisions for institutional conflicts and use of University facilities. Subject to review and approval of the President, Chancellors are to implement campus level processes for disclosure, review and reporting/conflict management. Chancellors are responsible for annual "level of activity" reports on conflicts management to the President. A clean and a redline version showing the changes to existing policy section 3.2.8 are attached.

SPONSOR: Joel D. Pedersen  
Vice President and General Counsel

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009

1 **RP-3.2.8 Conflict of Interest and Conflict of Commitment**

2 **1. Introduction**

3 University relations with industry, government agencies, individuals, and other enterprises outside the  
4 University constitute a complex network of interactions. These interactions have directed attention to  
5 potential conflicts of values and interests between these entities and academia. Conflict of Interest is  
6 addressed in Section 3.8 of the *Bylaws of the Board of Regents* as follows:

7 **3.8 Conflict of Interest.** No employee of the University shall engage in any activity that in any  
8 way conflicts with duties and responsibilities at the University of Nebraska. The Board of  
9 Regents has adopted Regents Policy 3.2.8 and authorized the implementation of related policies  
10 and directives to properly avoid, disclose and manage potential conflicts of interest.

11 In addition to Section 3.8 of the Bylaws, Nebraska statutes relating to conflict of interest and nepotism  
12 apply to all public officials and employees of the University, including the provisions of §49-14,101.01 of  
13 the Revised Statutes of Nebraska.<sup>1</sup>

14 Furthermore, federal funding agencies require that the University establish safeguards to prevent  
15 employees or consultants from using their positions for purposes which are motivated by (or even give  
16 appearance of) a drive for private financial gain either for themselves or family members.<sup>2</sup>

17 Responsibility for assurance of compliance with this policy rests with the President and Chancellor of  
18 each campus. The Chancellors shall submit an annual report to the President detailing the compliance  
19 policies, procedures and management activities at their campus.

20 **2. Annual Report**

21 Annually, each campus shall submit a written conflict of interest report to the President which includes  
22 at least the following information:

- 23 1) The number of conflicts disclosed, by appropriate academic unit.
- 24 2) A summary of the nature of the conflicts.<sup>3</sup>
- 25 3) The number of conflicts being managed through written plans, by college.

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<sup>1</sup> "A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated." and "A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain. ... "

<sup>2</sup> Including *Public Health Service, National Institute of Health and National Science Foundation* regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), *Department of Education* regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and *FDA* regulations (21 CFR Part 54).

<sup>3</sup> Conflicts may be identified according to basic categories, for example, conflicts arising from ownership of stock, family relationships, potential undue influence, and the like.

- 1 4) The number of conflicts eliminated, by college.  
2 5) Other material or information related to the management of conflicts of interest at the  
3 campus.

4 **3. Personnel Affected by Conflict of Interest and Conflict of Commitment Policy**

5 *Covered Person* shall mean:

- 6 1) University administrative officers and employees, specifically including any University  
7 employees with delegated signature, purchasing or contracting authority on behalf of the  
8 University;  
9 2) University employees and faculty engaged in outside employment or other activities  
10 specified in this policy (tech transfer/use of University facilities or equipment) that may create a  
11 *Conflict of Interest*; and  
12 3) Sponsored Research investigators, including University employees, faculty, staff and support  
13 personnel (managerial/professional and office/service positions), volunteers, trainees, students,  
14 contractors and other persons under the direct control of the University of Nebraska, whether  
15 paid by the University of Nebraska or not, who participate in *Sponsored Research* as defined in  
16 Section 5 of this policy 3.2.8.<sup>4</sup>

17 *Conflict of Interest* shall mean situations when a *Covered Person's* direct or indirect personal financial  
18 interests may compromise, or have the appearance of compromising, the *Covered Person's* professional  
19 judgment or behavior in carrying out his or her obligations to the University of Nebraska. This includes  
20 indirect personal financial interests of a *Covered Person* that may be obtained through third parties such  
21 as a *Covered Person's Immediate Family*, business relationships, fiduciary relationships, or investments.

22 *Immediate family* shall mean an individual who is the spouse, child, parent, brother, sister, grandchild,  
23 or grandparent, by blood, marriage, or adoption of the *Covered Person*.

24 **4. Individuals and Organizations Responsible for Administration of Conflict of Interest and**  
25 **Conflict of Commitment Policy**

26 At the University of Nebraska, all reporting of potential *Conflicts of Interest* should be undertaken with  
27 the goal of full disclosure. The President and Chancellors of each campus shall develop and implement a  
28 disclosure process and supporting procedures consistent with the principles set forth in this Policy,  
29 covering, at a minimum, sponsored programs administration, institutional review boards, any office of  
30 technology transfer, and any other responsible campus administrative officers. The Chancellors shall be  
31 responsible for overseeing their campus' reporting process and must designate an administrative officer

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<sup>4</sup> The term *Covered Person* includes the definition of an "Investigator" under NIH guidelines, specifically "the Principal Investigator and any other person who is responsible for the design, conduct, or reporting of research funded by the NIH, or proposed for such funding. The definition includes contractors or collaborators, as well as the Investigator's spouse and dependent children." See *Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought* (42 CFR Part 50, Subpart F, grants and 45 CFR Part 94, contracts).

1 who will be in charge of developing more specific written procedures for enforcing the policy. Each  
2 Chancellor shall submit their campus' processes and procedures to the President for review and  
3 approval.

4 The procedures for disclosure at each institution must, at a minimum, include the following:

5 1) Annual disclosures by *Covered Persons* who may have potential *Conflicts of Interest*.

6 2) A description of the process for developing, implementing, and overseeing conflict  
7 management plans, including a detailed process for managing and/or eliminating  
8 potential *Conflicts of Interest*.

9 3) A description of procedures for ensuring coordination among all University  
10 organizations with a role in oversight of conflicts.

11 4) A description of the process by which a *Covered Person* may address concerns  
12 regarding a *Conflict of Interest* situation or the management thereof.

13 5) A description of how:

14 ○ Disclosures will be reviewed and retained, and the level of activity of each  
15 college on the campus will be reported to the President pursuant to  
16 paragraph 9 of this policy;

17 ○ Responsible campus officials are to review and manage potential *Conflicts of*  
18 *Interest*;

19 ○ The campus will provide related training and advice about *Conflict of*  
20 *Interest* issues;

21 ○ The campuses will review and validate their program on a regular basis;

22 ○ The campus will make its implementation procedures for this policy  
23 available publicly; and

24 ○ The institution will enforce this policy and provide sanctions when  
25 necessary.

## 26 5. Conflicts of Interest Involving Sponsored Research

27 Research is basic to the University's teaching and service missions. Good teaching and learning depend  
28 upon research. Likewise, through its research, teaching, and service activities, the University's resources  
29 can best be brought to bear on public issues requiring objective, systematic study. Research forms an  
30 inherent part of departmental and collegiate missions, and brings recognition to the University and its  
31 faculty. All forms of research, which are within departmental and collegiate missions, and which  
32 maintain the high quality characteristic of the University, are appropriate to the University's open



1 environment. Similarly, University teaching and service activities have potential for commercial use and  
2 development.

3 *Sponsored Research* means research, training, and instructional projects performed by Covered Persons  
4 using any University space, materials, equipment or property that involves funds, materials or other  
5 compensation from sources outside the University through a grant or contract that obligates the  
6 University to a specified statement of work, sets forth binding financial terms in the form of a budget or  
7 up-front payment, or contains terms related to ownership of and rights to use intellectual property  
8 developed thereunder. Sponsored Research is a vital endeavor of the University; it allows faculty the  
9 means to pursue excellence in their research and scholarly activity, it expands opportunities for  
10 graduate and undergraduate student participation in research, it enhances the quality of University  
11 research facilities through public and private support, and it helps facilitate the commercialization of  
12 research and technology to benefit the University and Nebraska. The University encourages its faculty  
13 and staff to engage in both sponsored and non-sponsored research recognizing that compliance with  
14 this policy can help assure that appropriate standards of accountability are met and extramural  
15 considerations do not hinder the dissemination or commercialization of research.

16 Each campus shall establish its own Sponsored Research application approval process, including  
17 applicable internal or external peer review systems and implementing best practices for approving  
18 federally, publicly and privately sponsored research projects. The Chancellor shall be responsible for  
19 overseeing the research approval process and must designate an administrative officer who will be in  
20 charge of developing more specific written procedures for implementing the policy. The procedures for  
21 Sponsored Research approval at each campus must at a minimum include procedures for disclosing,  
22 identifying, reviewing, managing and reporting conflicts and potential conflicts that arise with regard to  
23 Sponsored Research on their campus pursuant to Article 3 of this policy.

#### 24 **6. Openness of Research and Publication of Results**

25 The traditions of free exchange of ideas and prompt dissemination of knowledge are fundamental to the  
26 University's mission and should govern all research, teaching, and service activities conducted by  
27 University faculty, staff and students. The University is committed to an open teaching and research  
28 environment, which ensures free faculty and student exchange of ideas, thereby contributing to the  
29 advancement of knowledge in all disciplines. As far as possible, the acceptance of support external to  
30 the University should not create situations which curtail open discussion of the research among  
31 colleagues and students.

32 Industry typically treats the products of its research in a very confidential manner. On occasion, industry  
33 expects project participants to maintain the same degree of confidentiality with sponsored research. It is  
34 important to note that openness, freedom of discussion, and freedom to publish go to the very core of  
35 the University. Nonetheless, there are certain legitimate needs for confidentiality on the part of industry  
36 that must be met by Sponsored Research investigators. Data received from an industry sponsor and  
37 marked "confidential" may be kept in a confidential status for a stated period of time. Also, it is prudent  
38 to recognize the need to maintain the confidential status of the results of the project for a period of

1 time sufficient to determine patentability and filing of patent applications or as agreed upon in an  
2 agreement between the sponsor and the University. When appropriate, the University may enter into  
3 confidential agreements to protect proprietary information, where this is deemed necessary, either  
4 through direct agreement with an industrial sponsor or through an agreement between the sponsor and  
5 a University employee.

6 The campus official responsible for administration of research or other campus official designated by the  
7 Chancellor must ensure that all individuals who participate in industry-sponsored research projects are  
8 fully informed in writing of the ownership and disposition of inventions and requirements of  
9 confidentiality regarding research results and other confidential information provided by the sponsors of  
10 such projects.

11 Research conducted by faculty under industry or other commercial sponsorship must, as far as possible,  
12 maintain the University's open teaching, research, and service environment.

13 The campus official responsible for administration of research or Chancellor's designee must review and  
14 approve any new, proposed, or ongoing faculty-industry interactions as these interactions might  
15 compromise the University's open teaching and research environment. The appropriate department  
16 chair(s) or director(s), dean(s), and in rare circumstances, the individual designated to perform the  
17 complete administrative review as described in Section 1--shall aid in this process and shall seek to  
18 resolve all potential problems prior to the approval of such interaction.

19 The campus official responsible for administration of research or Chancellor's designee shall from time  
20 to time provide current information to the department chairs, deans, directors and faculty pertinent  
21 information for timely reporting of concerns regarding violation of the *Conflict of Interest* and Conflict of  
22 Commitment policy.

23 Faculty must have the right to disseminate their research results, indeed are obligated to do so. The  
24 University discourages individual faculty from agreeing to forego this basic right. Likewise, the University  
25 will not unilaterally forego this right on behalf of its faculty, staff and students. However, the University  
26 and faculty may accept reasonable delays in submission of new findings for publication or other release  
27 of information to enable sponsors or the University to obtain proprietary or patent protection, for  
28 example. In special circumstances to be determined by the University, a researcher may waive his or her  
29 right to disseminate the results of his or her research and elect to enter an agreement to maintain the  
30 confidentiality of proprietary research for specified periods of time.<sup>5</sup>

31 The campus official responsible for administration of research or Chancellor's designee shall work with  
32 faculty engaged in industry-sponsored projects to provide written notification to support personnel and  
33 students involved in these projects, describing all contract and grant terms affecting them, including the  
34 possibility of delays in publication caused by the need of the sponsor to review manuscripts or any other  
35 obligations of confidentiality. Graduate students must not be assigned to thesis research topics which

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<sup>5</sup> An example of such a circumstance would be research performed pursuant to a contract with an agency of the federal government requiring security clearance.

1 might be affected by confidentiality agreements. The appropriate campus official or Chancellor's  
2 designee may authorize exceptions where appropriate.

### 3 **7. Outside Employment and Conflicts of Commitment**

4 The University not only permits but expressly encourages faculty to pursue outside professional  
5 activities including interactions with industry, with or without compensation, which will enrich a faculty  
6 member's academic contributions to the University. Consulting can expose faculty to research problems  
7 and perspectives which may enrich faculty teaching, research, extension, and service backgrounds.  
8 However, faculty and administration must be sensitive that such interactions could cause *Conflicts of*  
9 *Interest* and must ensure that *Covered Persons* do not make unnecessary or inappropriate commitments  
10 of their time or expertise which can adversely affect the University and its mission. A conflict of  
11 commitment must be disclosed and managed when it constitutes a *Conflict of Interest* for a *Covered*  
12 *Person*.

13 The assumption that *Covered Persons* will devote their time and effort to the University in proportion to  
14 their appointments--that full-time appointment connotes full-time commitment of time, effort, and  
15 expertise to the University--is inherent in University employment. Outside consulting activities, often  
16 acceptable in themselves, can interfere with a University employee's paramount obligations to the  
17 University by placing significant, competing demands upon the time and energy of a *Covered Person*  
18 with the potential for the neglect of instructional, research and other employment obligations. In some  
19 circumstances, a *Covered Person's* proposed outside activities may directly conflict with the objective of  
20 assignments within the University.

21 The University, through an outside employment policy enacted by the Board of Regents, seeks to  
22 minimize the potential for conflict of commitment by several mechanisms. The time that may be  
23 devoted to outside activity is normally limited to two working days per month; greater time  
24 commitments require specific approval of the Board of Regents. (For practical reasons, faculty are given  
25 considerable freedom in the scheduling of any outside activities.) In addition, the University must  
26 examine the application of an employee's expertise to proposed educational, industrial, or other  
27 consulting activities to assure that any *Conflict of Interest* and/or conflict of commitment is properly  
28 disclosed and managed. Hence, the University requires prior disclosure of proposed consulting,  
29 extramural teaching, or other activities to the department chair and the prior approval of the college  
30 dean and campus administration. Such disclosure may be made by completing the appropriate campus  
31 form for disclosure of outside employment and may require the provision of additional documentation  
32 to the chair, dean, or other administrator.

33 In certain other circumstances, the specific approval of the Board of Regents may be required. The  
34 relevant policy of the Board of Regents is set forth in Section 3.4.5 of the *Bylaws of Board of Regents*.

35 Outside Activity and Employment. As University-industry relationships increase with a growing desire for  
36 consultantships and other professional activities outside the University, University employees must

1 continue to observe the University policy on outside employment embodied in Section 3.4.5 of the  
2 *Bylaws of the Board of Regents*. In addition, University employees must observe the Board of Regents  
3 policy on Conflict of Interest stated in Section 3.8 of the *Bylaws of the Board of Regents*. Accordingly,  
4 each campus shall develop appropriate forms for employees to disclose 1) potential *Conflicts of Interest*,  
5 and 2) outside employment in order for review, documentation, approval and management of *Conflicts*  
6 *of Interest* and outside employment.

7 Department chairpersons, department heads, deans, and directors have primary responsibility to review  
8 the specific nature of each proposed outside professional activity within their respective areas of  
9 administrative responsibility and to deny approval to any such activity which would interfere with the  
10 normal University duties of the employee involved and to require proper disclosure and management of  
11 any *Conflict of Interest*.

12 It is impossible to anticipate all questions which may arise in connection with the application of Section  
13 3.4.5 of the *Bylaws* to the varied outside professional activities of employees. However, several general  
14 guidelines are set out below to assist in the administration of this policy:

15 1) Section 3.4.5 of the *Bylaws* does not apply to Office and Service staff.

16 2) Section 3.4.5(a) of the *Bylaws* requires Regental approval of outside professional activities  
17 where the employees will accept retainer fees or other remuneration on a permanent or yearly basis as  
18 a professional consultant. The key consideration in determining whether there will be acceptance of a  
19 retainer fee or remuneration on a permanent yearly basis is the nature of the professional business  
20 relationship between the employee and his or her client or patient. If this business relationship is one  
21 where the employee is obligated at the beginning of the professional relationship with a client or patient  
22 to provide professional services over a period of one year or longer, then approval by the Board of  
23 Regents is required.

24 3) In addition to obtaining prior approval of the department chair and campus administrator,  
25 Section 3.4.5(b) of the *Bylaws* requires Regental approval of outside professional activity requiring more  
26 than an average of two days per month during the period of the employee's full-time employment. The  
27 Board of Regents has interpreted this language to mean two days per month during the assigned work  
28 week. For this reason, Regental approval will only be required when an employee's outside professional  
29 activities will prevent the performance of his or her assigned duties at the University more than an  
30 average of two days per month during the period of full-time employment.

31 4) Section 3.4.5 of the *Bylaws* requires Regental approval of outside professional activity  
32 involving the charging of fees for work performed in University buildings with University equipment and  
33 materials. The President and Chancellors are authorized to develop specific policies with regard to the  
34 charging of fees for work performed in University buildings with University equipment and materials.

35 5) Section 3.4.5 of the *Bylaws* does not require individual approval of each separate client or  
36 patient relationship for professionals such as accountants, engineers, architects, lawyers, psychologists,  
37 therapists, etc. It is sufficient that the nature of the outside professional activity be generally described

1 so that appropriate evaluation may be conducted regarding potential interference with University  
2 duties, *Conflict of Interest*, and conflict of commitment. So long as none of the circumstances requiring  
3 Regental approval under subparagraphs (a), (b), (c), and (d) of Section 3.4.5 of the *Bylaws* exist, no  
4 further information need be provided by the employees, and the professional activity may be approved  
5 by the chancellor upon the recommendation of the appropriate dean or director.

6 6) Activities for a professional organization with which an employee is associated do not  
7 constitute the type of professional activity coming within the scope of Section 3.4.5 of the *Bylaws* unless  
8 a professional service is provided to the organization for which the employees is paid a professional fee  
9 which is commensurate with the actual value of the professional service provided.

10 The foregoing should not be construed to relieve any employee of complying with applicable policies or  
11 regulations of the department, college, division, campus, or University with regard to time one is  
12 allowed away from regular University duties.

13 University employees proposing outside employment or a consulting relationship of any nature  
14 pursuant to Section 3.4.5 of the *Bylaws* are required to complete the appropriate campus form for  
15 disclosure of outside employment.

16 Furthermore, consistent with the foregoing policy statement regarding conflicts of commitment and the  
17 effect such conflicts can have on a faculty member's research programs and the duties faculty members  
18 owe the University, University employees proposing outside employment or a consulting relationship  
19 with a third party shall disclose to the University any: i) confidentiality or non-disclosure agreements, ii)  
20 non-compete agreements or any agreement containing a non-compete clause, iii) assignments of  
21 intellectual property rights to the contracting party, and iv) involvement with commercial or educational  
22 enterprises where the name of the University may be used for commercial gain to the Chancellor or the  
23 Chancellor's designee. Although agreements of this type can be problematic, the University shall  
24 endeavor to promptly review such agreements and resolve any potential conflict of commitment to  
25 allow the University employee to perform the proposed outside employment or consulting while  
26 maintaining the integrity of their research projects and commitments to the University.

## 27 **8. Conflicts of Interest Involving Technology Transfer**

28 University projects have resulted in the creation of new Nebraska businesses which have transferred  
29 research results into products and services and which have contributed to the State's economy. Certain  
30 research discoveries lend themselves to commercialization by starting new ventures through the  
31 University or through faculty rather than the traditional licensing to existing companies. Moreover, this  
32 means of commercializing discoveries may be the best, or in some instances the only, means to transfer  
33 such new technology. The University recognizes this as an acceptable method of commercializing  
34 discoveries when it is in the best interests of the University, the State, and the inventor and is the most  
35 effective means to transfer such technology.

36 In establishing new companies to commercialize University technology, the University may accept equity  
37 positions or combinations of equity and future royalties in return for licensing the technology. This is an

1 acceptable University activity and is an integral part of the technology transfer program. However, in  
2 such situations, reasonable limits on the University's involvement with respect to administrative time  
3 and the amount of equity taken must be observed. University technology transfer activities shall be  
4 governed by Section 3.10 of the *Bylaws* and Section 4.4.2 of the *Policies*. Such oversight will enable the  
5 University to be aware of and take steps to prevent or manage potential *Conflicts of Interest* which may  
6 arise, involving, among other things, favoritism in future dealings with the same company,  
7 discrimination against its competitors, or the use of public funds for private gain. Accordingly, University  
8 direction of the company must be limited in time, and the amount of equity taken must be less than  
9 controlling. The Board of Regents has separately authorized and delegated authority to the University  
10 Technology Development Corporation (UTDC), and nothing in this policy is intended to limit the  
11 authority of UTDC as it relates to properly managing or preventing conflicts of interest or otherwise.

12 Conflict situations also apply to any profit- or nonprofit-affiliated private entities established by the  
13 University or one of its employees. Therefore, in the University's relations with all such entities, the  
14 *Conflict of Interest* policy must be followed.

15 Where University technology is transferred in return for an equity position, or royalties, or projects are  
16 to be performed in exchange for an equity position, the affected University employees must fully  
17 disclose such proposals, and a suitable arrangement that reflects the Regents Policy must be concluded  
18 prior to approval of the proposal.

19 For-profit entities have been formed specifically to fund research and development, such as research  
20 and development limited partnerships. Such entities solicit investors from members of the public. There  
21 is the possibility that prospective investors may be induced to invest by what appears to be University  
22 involvement in the funding entity or by unrealistic expectations of the outcome of the projects. In either  
23 event, the name of the University could be unfairly traded upon. Therefore, care must be taken that the  
24 investor solicitation is consistent with the potential outcome of the research and the policy on the use of  
25 the University's name.

26 Where appropriate, the University may accept equity in a company as complete or partial payment for  
27 transferring University technology to the company for commercialization. Only the Board of Regents  
28 may approve acceptance of equity in a company upon the recommendation of the President.

29 The University may designate individual(s) to hold membership on the board of directors of a company  
30 in which the University holds equity.

31 University faculty, administrators, or other members of the University community holding any such  
32 board of directors membership shall oppose or absent themselves, as appropriate, from any funding  
33 decisions or other decisions relating to the University which:

34 1) violates or is contrary to any law or University policy or procedure in regard to grants  
35 or contracts;

1                   2) would constitute a *Conflict of Interest* with such person's University office of  
2                   employment; or

3                   3) involves improper use of University (public) funds.

4   When external entities raise funds for University projects through any form of investment offerings,  
5   University personnel must scrupulously avoid the endorsement of any such offering or any statement of  
6   potential research results. The University's prior written consent must be obtained to use its name in  
7   connection with advertising or promotion of any investment offering.

8   The past history of funding of University research or other projects by any company or firm shall not  
9   have any bearing on purchasing decisions made by the University of Nebraska.

10   **9.       Institutional Conflicts of Interest**

11   An *Institutional Conflict of Interest* may occur when the University or a *Covered Person* in a senior  
12   administrative position has a financial interest in a commercial entity that itself has an interest in a  
13   University research project, including potential conflicts with equity/ownership interests or royalty  
14   arrangements. Each campus shall develop and establish processes and procedures for review of  
15   institutional conflicts involving technology transfer or other commercial activities. This process must at a  
16   minimum include:

- 17                   1) Procedures for identifying and overseeing institutional *Conflicts of Interest*;
- 18                   2) Principles and strategies for managing institutional *Conflicts of Interest*; and
- 19                   3) Principles and strategies for institutional management of equity.

20   Each Chancellor shall submit their campus' processes and procedures for review of institutional *Conflicts*  
21   *of Interest* to the President for review and approval.

22   **10.      Appeal of Administrative Decisions**

23   Each campus shall assure that an appeal mechanism is in place to allow *Covered Persons* to appeal an  
24   adverse decision relating to this policy.

1 | **RP-3.2.8 Conflict of Interest and Conflict of Commitment**

2 | **1. Introduction**

3  
4 University relations with industry, government agencies, individuals, and other enterprises outside the  
5 University constitute a complex network of interactions. These interactions have directed attention to  
6 potential conflicts of values and interests between these entities and academia. ~~As a result, there has  
7 been much attention nationwide to such potential conflicts.~~ Conflict of Interest is addressed in Section  
8 3.8 of the *Bylaws of the Board of Regents* as follows:

9 Conflict of Interest is addressed in Section 3.8 of the *Bylaws of the Board of Regents* as follows:

10 **3.8 Conflict of Interest.** No employee of the University shall engage in any activity that in any  
11 way conflicts with duties and responsibilities at the University of Nebraska ~~nor shall any  
12 employee hire or supervise a member of his or her immediate family without expressed written  
13 consent of the Board.~~ The Board of Regents has adopted Regents Policy 3.2.8 and authorized  
14 the implementation of related policies and directives to properly avoid, disclose and manage  
15 potential conflicts of interest.

16 ~~The objective of this University of Nebraska policy is to further  
17 elucidate this bylaw. If members of the University community are to be important participants in the  
18 economic development arena, and in providing service to industry, a set of policy statements must be  
19 provided with as much flexibility as possible. It is neither possible nor advisable to establish rigid rules  
20 governing these relations. Nevertheless, the University, while striving to promote research internally  
21 and to transfer technology externally, must safeguard against the use of public funds for private gain,  
22 conflicts of interest, conflicts of commitment, or interference with University duties in situations  
23 involving faculty, staff, students, or the institution itself. The University must also prevent violation of  
24 the tenets of fundamental fairness.~~

25 ~~Nebraska statutes relating to conflict of interest and nepotism apply to all public officials and employees  
26 of the University and include, including the following provisions in 5 of §49-14,101.01 of the Revised  
27 Statutes of Nebraska:<sup>1</sup>~~

28 ~~... No ... public employee shall use that person's office or any confidential information received through  
29 the holding of a public office to obtain financial gain, other than compensation provided by law, for  
30 himself or herself, a member of his or her immediate family or a business with which the individual is  
31 associated ... " and no "public employee shall use personnel, resources, property, or funds under that  
32 individual's official care and control, other than in accordance with prescribed constitutional, statutory,~~

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<sup>1</sup> "A public official or public employee shall not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated." and " A public official or public employee shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain. ... "



1 ~~and regulatory procedures, or use such items, other than compensation provided by law, for personal~~  
2 ~~financial gain ...~~

3 ~~In addition, many of the funding agencies, especially those operating under the National Science~~  
4 ~~Foundation and the Department of Health and Human Services, Furthermore, federal funding agencies~~  
5 ~~require that the University establish safeguards to prevent employees or consultants from using their~~  
6 ~~positions for purposes which are motivated by (or even give appearance of) a drive for private financial~~  
7 ~~gain either for themselves or family members. What follows is a set of policy statements—some broad,~~  
8 ~~some narrow—for University faculty, staff, students, administrators, industrial sponsors, and other~~  
9 ~~organizations. Responsibility for assurance of compliance with this policy rests with the Chancellor of~~  
10 ~~each campus and with the President for personnel associated with Central Administration.~~<sup>2</sup>

11 Responsibility for assurance of compliance with this policy rests with the President and Chancellor of  
12 each campus. The Chancellors shall submit an annual report to the President detailing the compliance  
13 policies, procedures and management activities at their campus.

## 14 **2. Annual Report**

15 Annually, each campus shall submit a written conflict of interest report to the President which includes  
16 at least the following information:

17 1) The number of conflicts disclosed, by appropriate academic unit.

18 2) A summary of the nature of the conflicts.<sup>3</sup>

19 3) The number of conflicts being managed through written plans, by college.

20 4) The number of conflicts eliminated, by college.

21 5) Other material or information related to the management of conflicts of interest at the  
22 campus.

## 23 **3. Personnel Affected by Conflict of Interest and Conflict of Commitment Policy**

24 ~~In many instances throughout this policy the term "faculty" is used, primarily because faculty are most~~  
25 ~~often involved in educational, research, and service activities. However, it must be emphasized that~~  
26 ~~these policies also apply to all other University employees including students, support personnel (staff-~~  
27 ~~B and C lines), and administrators, whether these are full-time or parttime employees. The University~~  
28 ~~seeks to identify situations which might lead to a conflict of interest by requiring that, in certain~~  
29 ~~circumstances that are defined later, employees who propose a relationship with an industrial sponsor~~  
30 ~~or other organization complete a Disclosure of Interest Form which has the specific intent of requiring~~

<sup>2</sup> Including *Public Health Service, National Institute of Health and National Science Foundation regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), Department of Education regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42), and FDA regulations (21 CFR Part 54).*

<sup>3</sup> Conflicts may be identified according to basic categories, for example, conflicts arising from ownership of stock, family relationships, potential undue influence, and the like.

1 an employee to disclose possible financial interest or other interest in the outcome of the project. The  
2 intent of this process is to identify situations which may lead to or be perceived as a conflict of interest.  
3 The policy statements which follow are not intended to resolve real conflicts of interest. This is left for  
4 resolution by affected personnel and the appropriate administrators.

5 3. Covered Person shall mean:

6 1) University administrative officers and employees, specifically including any University  
7 employees with delegated signature, purchasing or contracting authority on behalf of the  
8 University;

9 2) University employees and faculty engaged in outside employment or other activities  
10 specified in this policy (tech transfer/use of University facilities or equipment) that may create a  
11 Conflict of Interest; and

12 3) Sponsored Research investigators, including University employees, faculty, staff and support  
13 personnel (managerial/professional and office/service positions), volunteers, trainees, students,  
14 contractors and other persons under the direct control of the University of Nebraska, whether  
15 paid by the University of Nebraska or not, who participate in Sponsored Research as defined in  
16 Section 5 of this policy 3.2.8.<sup>4</sup>

17 Conflict of Interest shall mean situations when a Covered Person's direct or indirect personal financial  
18 interests may compromise, or have the appearance of compromising, the Covered Person's professional  
19 judgment or behavior in carrying out his or her obligations to the University of Nebraska. This includes  
20 indirect personal financial interests of a Covered Person that may be obtained through third parties such  
21 as a Covered Person's Immediate Family, business relationships, fiduciary relationships, or investments.

22 Immediate family shall mean an individual who is the spouse, child, parent, brother, sister, grandchild,  
23 or grandparent, by blood, marriage, or adoption of the Covered Person.

24 **4. Individuals and Organizations Affected by Responsible for Administration of Conflict of**  
25 **Interest and Conflict of Commitment Policy**

26 ~~Likewise, this policy is intended to apply to the University's relations with all kinds and forms of~~  
27 ~~government agencies, individuals, and private enterprises in general: entities big and small, startup or~~  
28 ~~established and ongoing, independent and/or portions of larger entities; whether proprietorships,~~  
29 ~~partnerships of any variety, corporations, or other forms of business organization; regardless of where~~  
30 ~~they are located geographically; whether entirely separate from the University; companies involving~~  
31 ~~University employees, spun off from the University; companies involving University employees, spun off~~  
32 ~~from faculty research; or University-affiliated companies.~~

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<sup>4</sup> The term *Covered Person* includes the definition of an "Investigator" under NIH guidelines, specifically "the Principal Investigator and any other person who is responsible for the design, conduct, or reporting of research funded by the NIH, or proposed for such funding. The definition includes contractors or collaborators, as well as the Investigator's spouse and dependent children." See *Responsibility of Applicants for Promoting Objectivity in Research for which PHS Funding is Sought (42 CFR Part 50, Subpart F, grants and 45 CFR Part 94, contracts).*

1 ~~4. Appropriateness of~~ At the University of Nebraska, all reporting of potential *Conflicts of Interest*  
2 should be undertaken with the goal of full disclosure. The President and Chancellors of each campus  
3 shall develop and implement a disclosure process and supporting procedures consistent with the  
4 principles set forth in this Policy, covering, at a minimum, sponsored programs administration,  
5 institutional review boards, any office of technology transfer, and any other responsible campus  
6 administrative officers. The Chancellors shall be responsible for overseeing their campus' reporting  
7 process and must designate an administrative officer who will be in charge of developing more specific  
8 written procedures for enforcing the policy. Each Chancellor shall submit their campus' processes and  
9 procedures to the President for review and approval.

10 The procedures for disclosure at each institution must, at a minimum, include the following:

- 11 1) Annual disclosures by *Covered Persons* who may have potential *Conflicts of Interest*.
- 12 2) A description of the process for developing, implementing, and overseeing conflict  
13 management plans, including a detailed process for managing and/or eliminating  
14 potential *Conflicts of Interest*.
- 15 3) A description of procedures for ensuring coordination among all University  
16 organizations with a role in oversight of conflicts.
- 17 4) A description of the process by which a *Covered Person* may address concerns  
18 regarding a *Conflict of Interest* situation or the management thereof.
- 19 5) A description of how:
  - 20 o Disclosures will be reviewed and retained, and the level of activity of each  
21 college on the campus will be reported to the President pursuant to  
22 paragraph 9 of this policy;
  - 23 o Responsible campus officials are to review and manage potential *Conflicts of*  
24 *Interest*;
  - 25 o The campus will provide related training and advice about *Conflict of*  
26 *Interest* issues;
  - 27 o The campuses will review and validate their program on a regular basis;
  - 28 o The campus will make its implementation procedures for this policy  
29 available publicly; and
  - 30 o The institution will enforce this policy and provide sanctions when  
31 necessary.

32 **5. Conflicts of Interest Involving Sponsored Research**

1 Research is basic to the University's teaching and service missions. Good teaching and learning depend  
2 upon research. Likewise, through its research, teaching, and service activities, the University's resources  
3 can best be brought to bear on public issues requiring objective, systematic study. Research forms an  
4 inherent part of departmental and collegiate missions, and brings recognition to the University and its  
5 faculty. All forms of research, which are within departmental and collegiate missions, and which  
6 maintain the high quality characteristic of the University, are appropriate to the University's open  
7 environment. Similarly, University teaching and service activities have potential for commercial use and  
8 development. ~~Industry-supported research is a legitimate academic endeavor. On a nationwide basis,  
9 research universities are actively seeking to strengthen their relations with industry. Government and  
10 industry alike support basic, applied, and proprietary research. Since research ranges over a broad  
11 spectrum, distinctions between these categories are often arbitrary; all can educate students in the  
12 scientific method. Industrial support should complement ongoing faculty research initiatives as well as  
13 provide additional opportunities for graduate education. Because industry has pioneered many new  
14 scientific areas, collaboration with industry can challenge faculty, enrich graduate and undergraduate  
15 education, and open options for students' future employment. Although the University wishes to foster  
16 University-industry partnerships, the University wishes to avoid any potential problems that may arise as  
17 a result of industrial sponsors directing research to meet their short-term needs and objectives.  
18 Prospects of financial gain could influence faculty and the University to choose the more commercial  
19 imminent, product-oriented research problems, rather than those fulfilling the University's objectives of  
20 educating students and advancing and applying more basic knowledge. Such problems could affect the  
21 quality and breadth of University research, teaching, and service missions, bias student education, cause  
22 favoritism, and undermine professor-student relationships. On federally sponsored projects, academia  
23 attempts to prevent such problems by the established external peer review system of evaluating  
24 research proposals. In addition, on each campus the appropriate University department chair(s) or  
25 director(s), the appropriate dean(s), and vice-chancellor(s) all make appropriate review of external  
26 funding proposals. Although an established peer review system is not typically utilized by industrial  
27 sponsors, a considerable number of University-industry relations are initiated by faculty proposals which  
28 oftentimes complement federal projects. Such industry-related research should be encouraged.  
29 Nevertheless, to make certain that research and service activities conducted for industrial sponsors are  
30 appropriate to the University's mission, the University's customary internal review of industry-  
31 sponsored projects must be especially thorough.~~

### 32 **5. Policy Statement I: Review of Appropriateness of Proposed Research Project**

33 ~~As part of its research, education, and public service missions, the University encourages interactions  
34 between faculty and industry and other external agencies that enable faculty and other University  
35 personnel to pursue projects within their fields of interest and in keeping with their departmental and  
36 collegiate missions, or, if appropriate, the interdisciplinary missions of centers and institutes.~~

37 ~~a. Faculty and other University employees have the freedom to undertake research, educational, or  
38 public service projects and to seek sponsorship of their liking, but must not be unduly influenced to  
39 accept external projects or sponsorship not of their own choosing.~~

1 ~~b. Since the integrity and institutional commitment of principal investigators, departmental chairs or~~  
2 ~~directors, and deans ultimately safeguard the quality and relevance of all research, educational, and~~  
3 ~~service activities, all three, and the appropriate vice chancellor or his or her designee must promptly~~  
4 ~~review all proposals to industrial concerns and other equivalent external agencies. In rare~~  
5 ~~circumstances, the appropriate administrator may nominate a single individual who shall be individually~~  
6 ~~responsible for the review of all aspects of proprietary service and sponsored projects in certain defined~~  
7 ~~areas. Proposals under \$5,000 will continue to receive the traditional campus review but are usually~~  
8 ~~exempt from considerations under the Conflict of Interest Policy. However, any University employee~~  
9 ~~with a personal financial interest of any sort resulting from or associated with the proposed agreement~~  
10 ~~must complete the Disclosure of Interest Form. As a result, it may be necessary to require the approval~~  
11 ~~of the appropriate administrator.~~

12 ~~c. Internal review of such agreements must ensure that all industrial contracts and grants, or other~~  
13 ~~forms of relationships, conform to departmental, center, institute, and collegiate missions; maintain the~~  
14 ~~breadth and quality of research, teaching, and service creditable to the University; and are executed by~~  
15 ~~the duly authorized administrative officer(s).~~

16 ~~d. Questions regarding the appropriateness of industrial contracts and grants, or other forms of~~  
17 ~~relationships, that cannot be resolved at the departmental, center, institute, or collegiate level must be~~  
18 ~~reviewed and resolved by the appropriate vice chancellor or chancellor. Each campus has the option of~~  
19 ~~establishing a faculty committee to make recommendations to the vice chancellor or chancellor for his~~  
20 ~~or her final disposition.~~

21 Sponsored Research means research, training, and instructional projects performed by Covered Persons  
22 using any University space, materials, equipment or property that involves funds, materials or other  
23 compensation from sources outside the University through a grant or contract that obligates the  
24 University to a specified statement of work, sets forth binding financial terms in the form of a budget or  
25 up-front payment, or contains terms related to ownership of and rights to use intellectual property  
26 developed thereunder. Sponsored Research is a vital endeavor of the University; it allows faculty the  
27 means to pursue excellence in their research and scholarly activity, it expands opportunities for  
28 graduate and undergraduate student participation in research, it enhances the quality of University  
29 research facilities through public and private support, and it helps facilitate the commercialization of  
30 research and technology to benefit the University and Nebraska. The University encourages its faculty  
31 and staff to engage in both sponsored and non-sponsored research recognizing that compliance with  
32 this policy can help assure that appropriate standards of accountability are met and extramural  
33 considerations do not hinder the dissemination or commercialization of research.

34 Each campus shall establish its own Sponsored Research application approval process, including  
35 applicable internal or external peer review systems and implementing best practices for approving  
36 federally, publicly and privately sponsored research projects. The Chancellor shall be responsible for  
37 overseeing the research approval process and must designate an administrative officer who will be in  
38 charge of developing more specific written procedures for implementing the policy. The procedures for  
39 Sponsored Research approval at each campus must at a minimum include procedures for disclosing,

1 identifying, reviewing, managing and reporting conflicts and potential conflicts that arise with regard to  
2 Sponsored Research on their campus pursuant to Article 3 of this policy.

### 3 **6. Openness of Research and Publication of Results**

4 The traditions of free exchange of ideas and prompt dissemination of knowledge are fundamental to the  
5 University's mission and should govern all research, teaching, and service activities conducted by  
6 University ~~personnel, faculty, staff and students.~~ The University is committed to an open teaching and  
7 research environment, which ensures free faculty and student exchange of ideas, thereby contributing  
8 to the advancement of knowledge in all disciplines. As far as possible, the acceptance of support  
9 external to the University should not create situations which curtail open discussion of the research  
10 among colleagues and students. ~~Industry or federal agencies, on the other hand, may require a period of~~  
11 ~~confidentiality for proprietary information provided to project participants for patent purposes or to~~  
12 ~~protect trade secret information and may seek prior review of publications resulting from its~~  
13 ~~sponsorship. It is acceptable to protect such proprietary information or trade secrets. The decisions to~~  
14 ~~patent and to file the patent application or to keep the information a trade secret must be made as~~  
15 ~~expeditiously as possible to avoid undue delays in publication.~~

### 16 ~~7. Policy Statement II: Openness of Research and Publication of Results~~

17 ~~a-~~ Industry typically treats the products of its research in a very confidential manner. On occasion,  
18 industry expects project participants to maintain the same degree of confidentiality with sponsored  
19 research. It is important to note that openness, freedom of discussion, and freedom to publish go to the  
20 very core of the University. Nonetheless, there are certain legitimate needs for confidentiality on the  
21 part of industry that must be met by Sponsored Research investigators. Data received from an industry  
22 sponsor and marked "confidential" may be kept in a confidential status for a stated period of time. Also,  
23 it is prudent to recognize the need to maintain the confidential status of the results of the project for a  
24 period of time sufficient to determine patentability and filing of patent applications or as agreed upon in  
25 an agreement between the sponsor and the University. When appropriate, the University may enter  
26 into confidential agreements to protect proprietary information, where this is deemed necessary, either  
27 through direct agreement with an industrial sponsor or through an agreement between the sponsor and  
28 a University employee.

29 The campus official responsible for administration of research or other campus official designated by the  
30 Chancellor must ensure that all individuals who participate in industry-sponsored research projects are  
31 fully informed in writing of the ownership and disposition of inventions and requirements of  
32 confidentiality regarding research results and other confidential information provided by the sponsors of  
33 such projects.

34 Research conducted by faculty under industry or other commercial sponsorship must, as far as possible,  
35 maintain the University's open teaching, research, and service environment.

36 ~~b-~~ The campus official responsible for administration of research or Chancellor's designee must review  
37 and approve any new, proposed, or ongoing faculty-industry interactions ~~which~~ as these interactions

1 might compromise the University's open teaching and research environment. ~~Those in the line of~~  
2 ~~reviewing University industry relationships~~—The appropriate department chair(s) or director(s), dean(s),  
3 and ~~the appropriate vice chancellor, or,~~ in rare circumstances, the individual designated to perform the  
4 complete administrative review as described in Section 1--shall investigate aid in this process and shall  
5 seek to resolve all potential problems. ~~Concerns regarding violation of the Conflict of Interest policy shall~~  
6 ~~be brought prior~~ to the ~~attention of the appropriate campus vice chancellor or chancellor, Provost, or~~  
7 ~~President for resolution~~approval of such interaction.

8 ~~e. The campus official responsible for administration of research or Chancellor's designee shall from~~  
9 ~~time to time provide current information to the department chairs, deans, directors and faculty~~  
10 ~~pertinent information for timely reporting of concerns regarding violation of the Conflict of Interest and~~  
11 ~~Conflict of Commitment policy.~~

12 Faculty must have the right to disseminate their research results, indeed are obligated to do so. The  
13 University discourages individual faculty from agreeing to forego this basic right. Likewise, the University  
14 will not unilaterally forego this right on behalf of its faculty, staff and students. However, the University  
15 and faculty may accept reasonable delays in submission of new findings for publication or other release  
16 of information to enable sponsors or the University to obtain proprietary or patent protection, for  
17 example. In special circumstances to be determined by the University, a researcher may waive his or her  
18 right to disseminate the results of his or her research and elect to enter an agreement to maintain the  
19 confidentiality of proprietary research for specified periods of time. ~~d. Faculty must normally.~~<sup>5</sup>

20 The campus official responsible for administration of research or Chancellor's designee shall work with  
21 faculty engaged in industry-sponsored projects to provide written notification to support personnel and  
22 students involved in ~~industry-sponsored~~these projects, describing all contract and grant terms affecting  
23 them, including the possibility of delays in publication caused by the need of the sponsor to review  
24 manuscripts or any other obligations of confidentiality. Graduate students must not be assigned to  
25 thesis research topics which might be affected by confidential agreements. The appropriate  
26 ~~administrator~~campus official or Chancellor's designee may authorize exceptions where appropriate for  
27 ~~personnel involved in short-term service-related projects.~~

28 ~~8.~~

## 29 7. Outside Employment: Avoidance of and Conflicts of Commitment

30 The University not only permits but expressly encourages faculty to pursue outside professional  
31 activities including interactions with industry, with or without compensation, which will enrich a faculty  
32 member's academic contributions to the University. Consulting can expose faculty to research problems  
33 and perspectives which may enrich faculty teaching, research, extension, and service backgrounds.  
34 However, faculty and administration must be sensitive that such interactions could cause Conflicts of  
35 Interest and must ensure that University employees Covered Persons do not make unnecessary or  
36 inappropriate commitments of their time or expertise which can adversely affect the University and its

<sup>5</sup> An example of such a circumstance would be research performed pursuant to a contract with an agency of the federal government requiring security clearance.

1 mission. A conflict of commitment must be ~~avoided~~disclosed and managed when it ~~could jeopardize the~~  
2 ~~faculty's and the University's integrity which is essential to maintaining the public's trust.~~ constitutes a  
3 Conflict of Interest for a Covered Person.

4 The assumption that ~~faculty~~Covered Persons will devote their time and effort to the ~~University's~~  
5 ~~mission~~University in proportion to their appointments--that full-time appointment connotes full-time  
6 commitment of time, effort, and expertise to the University--is inherent in University employment.  
7 Outside consulting activities, often acceptable in themselves, can interfere with a ~~faculty~~  
8 ~~member's~~University employee's paramount obligations to the University by placing significant,  
9 competing demands upon the time and energy of ~~the faculty member~~ a Covered Person with the  
10 potential for the neglect of instructional ~~and~~ research and other employment obligations. In some  
11 circumstances, ~~the faculty member's~~ a Covered Person's proposed outside activities may directly conflict  
12 with the objective of assignments within the University.

13 The University, through an outside employment policy enacted by the Board of Regents, seeks to  
14 minimize the potential for ~~faculty~~ conflict of commitment by several mechanisms. The time that may be  
15 devoted to outside activity is normally limited to two working days per month; greater time  
16 commitments require specific approval of the Board of Regents. (For practical reasons, faculty are given  
17 considerable freedom in the scheduling of any outside activities.) In addition, the University must  
18 examine the application of an employee's expertise to proposed educational, industrial, or other  
19 consulting activities to assure that ~~there is no any~~ Conflict of Interest and/or conflict of commitment or  
20 ~~other conflict of interest is properly disclosed and managed.~~ Hence, the University requires prior  
21 disclosure of proposed consulting, extramural teaching, or other activities to the department chair and  
22 the ~~subsequent~~prior approval of the college dean and campus administration. Such disclosure may be  
23 made by completing the appropriate campus form for disclosure of Interest Form outside employment  
24 and may require the provision of additional documentation to the chair, dean, or other administrator.

25 In certain other circumstances, the specific approval of the Board of Regents may be required. The  
26 relevant policy of the Board of Regents is set forth in Section 3.4.5 of the *Bylaws of Board of Regents*.

### 27 **9. Policy Statement III: Disclosures of Outside Commitment**

28 ~~a. Outside Activity and Employment and Consulting Relationships.~~ As University-industry relationships  
29 increase with a growing desire for consultantships and other professional activities outside the  
30 University, University ~~staff member~~employees must continue to observe the University policy on  
31 outside employment embodied in Section 3.4.5 of the *Bylaws of the Board of Regents*. In addition,  
32 University employees must observe the Board of Regents policy on Conflict of Interest stated in Section  
33 3.8 of the *Bylaws of the Board of Regents*. Accordingly, each campus shall develop appropriate forms for  
34 employees to disclose 1) potential Conflicts of Interest, and 2) outside employment in order for review,  
35 documentation, approval and management of Conflicts of Interest and outside employment.

36 ~~b. Outside Professional Activities Requiring Regental Approval. The Application for Permission to Engage~~  
37 ~~in Professional Activity Outside the University Form is to be used by members of the professional staff~~



1 ~~for the purpose of requesting requisite approval pursuant to Section 3.4.5 of the Bylaws of the Board of~~  
2 ~~Regents to engage in professional activity outside of the University.~~

3 ~~Section 3.4.5 of the Bylaws specifically encourages University staff members to engage in professional~~  
4 ~~activities outside the University as a means of broadening their experience and keeping them abreast of~~  
5 ~~the latest developments in their specialized field. It is implicit in this Regental policy that the University,~~  
6 ~~as an educational and research institution, will benefit and better serve the people of the state as a~~  
7 ~~result of outside professional activities by its professional staff.~~

8 ~~The purpose of the Application for Permission to Engage in Professional Activity Outside the University~~  
9 ~~Form is to provide documentation of the requisite approval under Section 3.4.5 and to provide an~~  
10 ~~established procedure for review and approval of outside professional activity.~~

11 ~~-Department chairpersons, department heads, deans, and directors have primary responsibility to~~  
12 ~~review the specific nature of each proposed outside professional activity within their respective areas of~~  
13 ~~administrative responsibility and to deny approval to any such activity which would interfere with the~~  
14 ~~normal University duties of the staff member/employee involved ~~or which would represent a conflict and~~~~  
15 ~~to require proper disclosure and management of ~~interest or any~~ Conflict of ~~commitment.~~Interest.~~

16 It is impossible to anticipate all questions which may arise in connection with the application of Section  
17 3.4.5 of the *Bylaws* to the varied outside professional activities of staff members/employees. However,  
18 several general guidelines are set out below to assist in the administration of this policy:

19 1) Section 3.4.5 of the *Bylaws* ~~applies only~~does not apply to ~~members of the professional~~Office  
20 ~~and Service staff, that is, A-line and B-line personnel.~~

21 2) Section 3.4.5(a) of the *Bylaws* requires Regental approval of outside professional activities  
22 where the staff member/employees will accept retainer fees or other remuneration on a permanent or  
23 yearly basis as a professional consultant. The key consideration in determining whether there will be  
24 acceptance of a retainer fee or remuneration on a permanent yearly basis is the nature of the  
25 professional business relationship between the staff member/employee and his or her client or patient. If  
26 this business relationship is one where the staff member/employee is obligated at the beginning of the  
27 professional relationship with a client or patient to provide professional services over a period of one  
28 year or longer, then approval by the Board of Regents is required.

29 3) In addition to obtaining prior approval of the department chair and campus administrator,  
30 Section 3.4.5(b) of the *Bylaws* requires Regental approval of outside professional activity requiring more  
31 than an average of two days per month during the period of the staff member's/employee's full-time  
32 employment. The Board of Regents has interpreted this language to mean two days per month during  
33 the assigned work week. ~~It is often very difficult to identify an assigned work week, particularly for~~  
34 ~~faculty. They often perform their regular or routine University duties during evening hours and on~~  
35 ~~weekends.~~ For this reason, Regental approval will only be required when a staff member's/an employee's  
36 outside professional activities will prevent the performance of his or her assigned duties at the  
37 University more than an average of two days per month during the period of full-time employment.

1 ~~Thus, if outside professional activities are to be performed only during a time when the staff member~~  
2 ~~would not otherwise be performing such duties, then Regental approval under the two days per month~~  
3 ~~provisions of Section 3.4.5(b) of the Bylaws would not be required, regardless of the length of time to be~~  
4 ~~devoted to the outside activity.~~

5 4) Section 3.4.5(c) of the *Bylaws* requires Regental approval of outside professional activity  
6 involving the charging of fees for work performed in University buildings with University equipment and  
7 materials. ~~It is not practical to prescribe guidelines under subparagraph (c) which will cover the many~~  
8 ~~and varied outside professional activities of staff members. The President and Chancellors are~~  
9 ~~authorized to develop~~ specific policies with regard to the charging of fees for work performed in  
10 University buildings with University equipment and materials ~~should be developed by each chancellor.~~

11 ~~5) Section 3.4.5(d) of the Bylaws requires Regental approval of outside professional activities where~~  
12 ~~remuneration is received for services provided to departments or agencies of state government. This~~  
13 ~~subsection applies only to the departments or agencies of the government of the State of Nebraska. It~~  
14 ~~does not apply to services provided to departments or agencies of the governments to other states.~~  
15 ~~Also, it does not apply to services provided to political subdivisions within the State of Nebraska, such as~~  
16 ~~municipalities, counties, school districts, public power districts, irrigation districts, natural resource~~  
17 ~~districts, etc.~~

18 65) Section 3.4.5 of the *Bylaws* does not require individual approval of each separate client or  
19 patient relationship for professionals such as accountants, engineers, architects, lawyers, psychologists,  
20 therapists, etc. It is sufficient that the nature of the outside professional activity be generally described  
21 so that appropriate evaluation may be conducted regarding potential interference with University  
22 duties, *Conflict of Interest*, and conflict of commitment. So long as none of the circumstances requiring  
23 Regental approval under subparagraphs (a), (b), (c), and (d) of Section 3.4.5 of the *Bylaws* exist, no  
24 further information need be provided by the ~~staff member~~employees, and the professional activity may  
25 be approved by the chancellor upon the recommendation of the appropriate dean or director.

26 76) Activities for a professional organization with which ~~a staff member~~an employee is  
27 associated do not constitute the type of professional activity coming within the scope of Section 3.4.5 of  
28 the *Bylaws* unless a professional service is provided to the organization for which the ~~staff~~  
29 ~~member~~employees is paid a professional fee which is commensurate with the actual value of the  
30 professional service provided.

31 The foregoing should not be construed to relieve any ~~staff member~~employee of complying with  
32 applicable policies or regulations of the department, college, division, campus, or University with regard  
33 to time one is allowed away from regular University duties.

34 ~~e. Declaration of Interest~~ University employees proposing outside employment or a consulting  
35 relationship ~~of any nature pursuant to Section 3.4.5 of the Bylaws~~ are required to complete a  
36 ~~confidential Disclosure of Interest Form.~~

1 ~~10. Other Activities Requiring Disclosures~~ the appropriate campus form for disclosure of **Economic**  
2 ~~Interest or Commercial Involvement~~ outside employment.

3 ~~With increasing University interactions with outside organizations, the University must ensure that other~~  
4 ~~less obvious potential conflicts are identified and, if necessary, addressed in a formal process.~~  
5 ~~Accordingly, the University requires that faculty identify and report, to the appropriate administrator,~~  
6 ~~the potential for real or perceived conflicts which can result from their relations with industry, or other~~  
7 ~~organizations, so that problems may be avoided. For example, the University must avoid situations~~  
8 ~~where the possibilities for personal gain for the University employee or his or her immediate family may~~  
9 ~~be judged to be so significant that it is unreasonable to expect the employee to exercise the objectivity~~  
10 ~~necessary to the University's public trust. In addition, employees are required to report their~~  
11 ~~involvement with commercial or educational enterprises where the name of the University may be used~~  
12 ~~for commercial gain. To assist in identifying such potential conflicts of interest, each member of the~~  
13 ~~faculty or University staff proposing any arrangement with an industrial sponsor or proposing to have~~  
14 ~~financial interest in an outside organization must complete a Disclosure of Interest Form which seeks to~~  
15 ~~identify situations likely to lead either to a conflict of interest or conflict of commitment or the~~  
16 ~~appearance of such conflict. It must be emphasized that while such disclosures are necessary, they will~~  
17 ~~not and should not, ipso facto, prevent such arrangements. Personal discretion or administrative~~  
18 ~~adjustments can often be used to resolve most potential conflicts. For example, reducing the percentage~~  
19 ~~of a faculty appointment, or granting a leave of absence, to reflect the faculty member's respective~~  
20 ~~commitments to the University and to the outside entity may be appropriate and help to resolve the~~  
21 ~~conflict.~~

22 **11. Policy Statement IV: Disclosures of Interest**

23 a. ~~Situations Requiring Disclosure of Economic or Commercial Interest. When accepting support from~~  
24 ~~industrial sponsors, faculty and other University personnel, whether full-time or part-time, must disclose~~  
25 ~~all directly or indirectly related commercial connections with and financial interests in such sponsors. In~~  
26 ~~addition, in situations where a faculty member's immediate family has such commercial connections and~~  
27 ~~financial interests, disclosure must also be made. Further, disclosure of economic interest in any~~  
28 ~~company which competes with the industrial sponsor must also be provided. In the following specific~~  
29 ~~situations, University employees are required to declare their economic or commercial interest, since~~  
30 ~~there is significant possibility of conflict of interest:~~

31 ~~1) If a University employee and/or a member of his or her immediate family (defined as the spouse of~~  
32 ~~an individual, a natural or adopted child of an individual, a parent of an individual or his or her spouse,~~  
33 ~~or a person claimed by an individual or his or her spouse as a dependent for federal income tax~~  
34 ~~purposes) in the aggregate own or have options to purchase the lesser of either 5 percent or more or~~  
35 ~~\$2,000 or more of voting stock in a company which sponsors a research project of the employee, then~~  
36 ~~the University employee is required to declare the equity interest in full.~~

1 2) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1), in  
2 the aggregate own the lesser of 5 percent or more or \$2,000 or more of the voting stock, is an officer in  
3 a company which competes with the sponsor of a research project in which the employee is involved.

4 3) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1),  
5 holds a position as an operational officer in a company with which the employee has a University  
6 research project.

7 4) If a University employee or a member of his or her immediate family, as defined in Section 11.a.1),  
8 holds a full-time or part-time position or has financial interest in a company which is the recipient of  
9 funds from a government agency or other sponsor.

10 5) If a University employee has involvement with commercial or educational enterprises where the  
11 name of the University may be used to further the commercial development of a product or service.

12 6) If a University employee or his or her immediate family, as defined in Section 11.a.1), receives a loan,  
13 honorarium, gift, in-kind contribution, or other consideration of value from a sponsor or a sponsor  
14 employee.

15 7) If the sponsor or agency supporting research is the Department of Health and Human Services, the  
16 National Science Foundation, other Federal units or a not for-profit private agency, it is necessary to  
17 declare any significant financial interest with any other agency, company, corporation, or other entity  
18 that might influence or be perceived to influence the conduct of research. Such significant financial  
19 interest is defined to be anything of monetary value, including but not limited to, salary or other  
20 payment for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options, and  
21 other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from  
22 such rights). A significant financial interest in business enterprises or entities exists when the value of  
23 such interests exceeds \$2,000 per annum, or if salary, fees, or other continuing payments represents  
24 more than a 5 percent ownership interest for any one enterprise or entity when aggregated for the  
25 investigator and the investigator's spouse and dependent children. Investments in mutual funds in  
26 which the extent of investment in a particular industry is unknown are excluded from the requirement  
27 to declare financial interest.

28 b. Memberships on Boards of Directors. Faculty or other University personnel memberships on boards  
29 of directors associated with the sponsor of any project proposal must be declared since the individual  
30 may be in a position to direct funds and direct the use of other University personnel, including research  
31 students and assistants, into areas of research that result in conflict of interest.

32 c. Part-time Employees and Faculty on Leave of Absence. The Conflict of Interest policy applies to part-  
33 time employees and faculty or other employees who are on leave of absence. The possibility of conflict  
34 of interest or conflict of commitment is especially likely if the employee is also a part-time employee of  
35 the sponsor of the project.

1 ~~d. Process for Disclosure of Interest. Disclosure of economic or commercial interest is made by~~  
2 ~~completing the Disclosure of Interest Form. All new, renewal, or continuation sponsored project~~  
3 ~~proposals in excess of \$5,000 prepared for submission to a sponsor must also have a completed~~  
4 ~~Disclosure of Interest Form. Information provided in this form will be considered confidential.~~

5 ~~e. Resolution of Conflicts. Wherever possible, the appropriate departmental chair(s) or director(s),~~  
6 ~~dean(s), and the appropriate vice chancellor(s) must review and resolve any faculty conflicts of interest~~  
7 ~~or conflicts of commitment. In some circumstances, the involvement of the chancellor, Provost, or~~  
8 ~~President may be required to resolve the conflict.~~

9 12. Furthermore, consistent with the foregoing policy statement regarding conflicts of commitment and  
10 the effect such conflicts can have on a faculty member's research programs and the duties faculty  
11 members owe the University, University employees proposing outside employment or a consulting  
12 relationship with a third party shall disclose to the University any: i) confidentiality or non-disclosure  
13 agreements, ii) non-compete agreements or any agreement containing a non-compete clause, iii)  
14 assignments of intellectual property rights to the contracting party, and iv) involvement with  
15 commercial or educational enterprises where the name of the University may be used for commercial  
16 gain to the Chancellor or the Chancellor's designee. Although agreements of this type can be  
17 problematic, the University shall endeavor to promptly review such agreements and resolve any  
18 potential conflict of commitment to allow the University employee to perform the proposed outside  
19 employment or consulting while maintaining the integrity of their research projects and commitments  
20 to the University.

## 21 8. Conflicts of Interest Involving ~~Faculty Commercialization of University~~ Technology Transfer

22 University projects have resulted in the creation of new Nebraska businesses which have transferred  
23 research results into products and services and which have contributed to the State's economy. Certain  
24 research discoveries lend themselves to commercialization by starting new ventures through the  
25 University or through faculty rather than the traditional licensing to existing companies. Moreover, this  
26 means of commercializing discoveries may be the best, or in some instances the only, means to transfer  
27 such new technology. The University recognizes this as an acceptable method of commercializing  
28 discoveries when it is in the best interests of the University, the State, and the inventor and is the most  
29 effective means to transfer such technology.

30 In establishing new companies to commercialize University technology, the University may accept equity  
31 positions or combinations of equity and future royalties in return for licensing the technology. This is an  
32 acceptable University activity and is an integral part of the technology transfer program. However, in  
33 such situations, reasonable limits on the University's involvement with respect to administrative time  
34 and the amount of equity taken must be observed. This University technology transfer activities shall be  
35 governed by Section 3.10 of the Bylaws and Section 4.4.2 of the Policies. Such oversight will enable the  
36 University to be aware of and take steps to prevent or manage potential *Conflicts of Interest* which may  
37 arise, involving, among other things, favoritism in future dealings with the same company,  
38 discrimination against its competitors, or the use of public funds for private gain. Accordingly, University

1 direction of the company must be limited in time, and the amount of equity taken must be less than  
2 controlling. The Board of Regents has separately authorized and delegated authority to the University  
3 Technology Development Corporation (UTDC), and nothing in this policy is intended to limit the  
4 authority of UTDC as it relates to properly managing or preventing conflicts of interest or otherwise.

5 Conflict situations also apply to any profit- or nonprofit-affiliated private entities established by the  
6 University or one of its employees. Therefore, in the University's relations with all such entities, the  
7 *Conflict of Interest* policy must be followed.

8 ~~Ownership of equity in a company may entitle the University to membership on the company's board of~~  
9 ~~directors. Such memberships are positive from the University's perspective since board members can~~  
10 ~~look after the University's interest in company management. However, increased possibilities for~~  
11 ~~conflicts of interest are inherent in such membership. In addition, ownership of equity in a company~~  
12 ~~established by a University employee may also create situations which may lead to conflicts of interest.~~  
13 ~~Thus, University employees, who hold ownership or equity or receive company royalties, or board~~  
14 ~~members or company officers, who are University administrators involved in internal decisions~~  
15 ~~regarding personnel, budgeting, contract negotiations, and the like, may be in a position to direct~~  
16 ~~University projects to benefit the company causing problems of favoritism, discrimination, and improper~~  
17 ~~use of public funds for private gain. In addition, board members or company officers are exposed to~~  
18 ~~internal confidential matters of their companies, and their company obligation may, therefore, conflict~~  
19 ~~with their obligations to the University. Although accepting membership on a company's board of~~  
20 ~~directors may be appropriate, the University must be provided with sufficient information to determine~~  
21 ~~whether conflicts may arise as a result of the membership on the board.~~

22 Where University technology is transferred in return for an equity position, or royalties, or projects are  
23 to be performed in exchange for an equity position, the affected University employees must ~~be~~ fully  
24 ~~apprised of~~ disclose such proposals, and a suitable arrangement that reflects the Regents Patent Policy  
25 must be concluded, ~~both with~~ prior to approval of the faculty and with the industry sponsor. The  
26 arrangement should provide for the faculty inventor to share in any consideration received by the  
27 University in accordance with established practices proposal.

28 ~~In recent years, because of federal tax law changes,~~ For-profit entities have been formed specifically to  
29 fund research and development, such as research and development limited partnerships. Such entities  
30 solicit investors from members of the public. There is the possibility that prospective investors may be  
31 induced to invest by what appears to be University involvement in the funding entity or by unrealistic  
32 expectations of the outcome of the projects. In either event, the name of the University could be  
33 unfairly traded upon. Therefore, care must be taken that the investor solicitation is consistent with the  
34 potential outcome of the research and the policy on the use of the University's name.

### 35 **13. Policy Statement V: Conflicts of Interest Involving the University**

36 ~~a-~~ Where appropriate, the University may accept equity in a company as complete or partial payment  
37 for transferring University technology to the company for commercialization. Only the Board of Regents

1 | may approve acceptance of equity in a company upon the recommendation of the ~~cognizant chancellor,~~  
2 | ~~the Provost, and the~~ President.

3 | ~~b-~~The University may designate individual(s) to hold membership on the board of directors of a  
4 | company in which the University holds equity.

5 | ~~c-~~University faculty, administrators, or other members of the University community holding any such  
6 | board of directors membership shall oppose or absent themselves, as appropriate, from any funding  
7 | decisions or other decisions relating to the University which:

8 |                   1) violates or is contrary to any law or University policy or procedure in regard to grants  
9 |                   or contracts;

10 |                   2) would constitute a *Conflict of Interest* with such person's University office of  
11 |                   employment; or

12 |                   3) involves improper use of University (public) funds.

13 | ~~d-~~When external entities raise funds for University projects through any form of investment offerings,  
14 | University personnel must scrupulously avoid the endorsement of any such offering or any statement of  
15 | potential research results. The University's prior written consent must be obtained to use its name in  
16 | connection with advertising or promotion of any investment offering.

17 | ~~e-~~The past history of funding of University research or other projects by any company or firm shall not  
18 | have any bearing on purchasing decisions made by the University of Nebraska.

19 | **14. Commitments9. Institutional Conflicts of Interest**

20 | An Institutional Conflict of Interest may occur when the University ~~Equipment and Facilities~~ or a Covered  
21 | Person in a senior administrative position has a financial interest in a commercial entity that itself has an  
22 | interest in a University research project, including potential conflicts with equity/ownership interests or  
23 | royalty arrangements. Each campus shall develop and establish processes and procedures for review of  
24 | institutional conflicts involving technology transfer or other commercial activities. This process must at a  
25 | minimum include:

26 | ~~Company access to specialized University equipment, facilities, and personnel, acquired to further the~~  
27 | ~~teaching, research, and public service missions, may form the basis of University/industry relationships~~  
28 | ~~much as faculty seek access to complementary industrial facilities. Industry's use of University facilities~~  
29 | ~~and personnel, whether for research or for routine testing on a fee-for-service basis, is mutually~~  
30 | ~~advantageous. Access to sophisticated or unique University facilities for research or product~~  
31 | ~~development benefits companies of every size. The University benefits from full utilization of its~~  
32 | ~~facilities, resulting revenues, and increased opportunities to educate students. Since facilities are limited~~  
33 | ~~and are dedicated to all University missions, however, uses furthering these missions shall have priority.~~  
34 | ~~Depending upon availability, use by external sponsors is appropriate.~~

1 **15. Policy Statement VI: Commitments of University Equipment and Facilities**

2 When allowing industry to utilize University facilities directly for commercial purposes, the University  
3 shall make certain that industry indemnifies the University for all liabilities arising from such use; that  
4 industry pays an appropriate fee determined by the institution; and that such use does not interfere  
5 with University research, education, or public service programs.

6 **16. Transfer of Rights in Discoveries**

7 The Regents' patent policy extends to all patentable inventions and discoveries made at the University.  
8 Transfer of rights in and commercialization of such inventions and discoveries, whether by license,  
9 assignment, or sale, can further the mission of the University by making the discoveries available to the  
10 general public, by bringing recognition to the University and faculty, and by providing funds to the  
11 University which strengthen its research, teaching, and service roles. Such transfer of technology is  
12 encouraged. Industry typically treats the products of its research in a very confidential manner. On  
13 occasion, industry expects project participants to maintain the same degree of confidentiality with  
14 sponsored projects. It is important to note that openness, freedom of discussion, and freedom to  
15 publish go to the very core of the University. Nonetheless, there are certain legitimate needs for  
16 confidentiality on the part of industry that must be met by project participants. Data received from an  
17 industry sponsor and marked "confidential" may be kept in a confidential status for a stated period of  
18 time. Also, it is prudent to recognize the need to maintain the confidential status of the results of the  
19 project for a period of time sufficient to determine patentability and filing of patent applications or as  
20 agreed upon in an agreement between the sponsor and the University. When appropriate, the  
21 University may enter into confidential agreements to protect proprietary information, where this is  
22 deemed necessary, either through direct agreement with an industrial sponsor or through an agreement  
23 between the sponsor and an individual employee.

24 **17. Policy Statement VII: Transfer of Rights in Discoveries**

25 a. Each campus of the University has a process for the evaluation and disposition of inventions and  
26 discoveries created by University employees. Following appropriate evaluation but prior to making a  
27 patent application, the invention or discovery is brought to the attention of the Board of Regents in  
28 writing. The Board may accept the invention or discovery and pursue a patent application or return the  
29 invention to the inventor, in accordance with Section 3.10 of the Bylaws of the Board of Regents. It  
30 should also be noted that Regental Policy RP 3.2.7, "Patent and Technology Transfer Policy", mandates  
31 that one-third of royalties be paid to the faculty inventor(s) of a patent.

32 b. Faculty, or other principal investigators on industry-sponsored research, must ensure that all  
33 individuals who assist in their research projects are fully informed in writing of the ownership and  
34 disposition of inventions and requirements of confidentiality regarding research results and other  
35 confidential information provided by the sponsors of associated projects.

36 1) ~~18.~~ Procedures for identifying and overseeing institutional *Conflicts of Interest*;



1                    2) Principles and strategies for managing institutional *Conflicts of Interest*; and

2                    3) Principles and strategies for institutional management of equity.

3 Each Chancellor shall submit their campus' processes and procedures for review of institutional *Conflicts*  
4 *of Interest* to the President for review and approval.

5 **10. Appeal of Administrative Decisions**

6 Each campus shall assure that an appeal mechanism is in place to allow ~~faculty and others~~Covered  
7 Persons to appeal ~~any administrative~~an adverse decision relating to ~~the Conflict of Interest~~this policy.

8 **19. Disclosure of Interest Form**

9 ~~A facsimile of the Disclosure of Interest Form appears on the next page.~~

TO: The Board of Regents Addendum X-B-3

Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: 2009-2011 University of Nebraska at Omaha Collective Bargaining Agreement

RECOMMENDED ACTION: Approve amendments to the current Collective Bargaining Agreement Between the Board of Regents and the American Association of University Professors (UNO/AAUP) for the 2009-2011 biennium consistent with the agreed upon settlement in lieu of further appeal action of the Commission of Industrial Relations decision.

PREVIOUS ACTION: March 9, 2007 – The Board approved amendments to the Collective Bargaining Agreement between the Board and the American Association of University Professors (UNO/AAUP) for the 2007-2009 biennium consistent with the decision of the Special Master.

EXPLANATION: The amendments to the Bargaining Agreement were made pursuant to Neb. Rev. Stat. §§ 81-1369 through 81-1390, as §§ 48-801 through 48-842, consistent with the settlement agreement. The key economic element of the settlement agreement is a salary increase of 5.84% (4.5% in fiscal year 2010 and 1.34% in fiscal year 2011) for eligible faculty for the contract period which achieves comparability with the mid-point of the peer institutions selected for UNO by the Board of Regents. In addition to the salary increase an employee life insurance benefit equal to the base salary of eligible unit members (not to exceed \$120,000 in face value) was granted. With the exception of changes (i.e., appropriate dates and minor language revisions), salaries were the only issue in dispute. Minor substantive adjustments or corrections may be made in the final document prior to printing. These changes have been ratified by the members of the UNO/AAUP.

PROJECT COST:		<u>2010</u>	<u>2011</u>
	Salary	\$1,556,435	\$484,328
	Corresponding Benefits	<u>225,683</u>	<u>70,228</u>
		<u>\$1,782,118</u>	<u>\$554,556</u>

SOURCE OF FUNDS: General Funds

SPONSOR: Ed Wimes  
Associate to the President/Assistant Vice President for Human Resources

Terry Hynes  
Senior Vice Chancellor, Academic and Student Affairs

RECOMMENDED: James B. Milliken  
President

DATE: January 6, 2010

TO: The Board of Regents Addendum X-B-4  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Approval of Contracts with VMware, Inc and Dell Financial Services

RECOMMENDED ACTION: Approve Execution of a Contract with VMware, Inc and Leasing Agreement relating thereto with Dell Financial Services

PREVIOUS ACTION: None.

EXPLANATION: This item, if approved, allows the University to enter into a three year, university-wide, license agreement with VMware, Inc. for VMware. The purchase will be financed through Dell Financial Services. VMware is a software package that allows computing services to utilize servers on a virtual basis, thereby more efficiently and seamlessly using server capacity throughout the system, increasing hardware utilization by 50-70%.

The software not only gives faster server deployment, but saves on capital costs, reduces administrative time and provides for easier disaster recovery. A university-wide contract also provides a higher level of support on the campuses and creates savings on license costs versus separate contracts.

The financing agreement with Dell Financial Services provides for an interest rate over the term of the agreement approximating 2.0%

PROJECT COST: \$480,000 (three years at \$160,000)

SOURCE OF FUNDS: Cash funds

SPONSORS: Walter Weir  
Chief Information Officer, Computing Services Network

Mark Askren  
Chief Information Officer, University of Nebraska-Lincoln

Yvette Holly  
Assistant Vice Chancellor, University of Nebraska Medical Center

John L. Fiene  
Associate Vice Chancellor, University of Nebraska at Omaha

Deb Schroeder  
Assistant Vice Chancellor, University of Nebraska at Kearney

RECOMMENDED: James B. Milliken  
President

DATE: January 6, 2010

TO: The Board of Regents Addendum X-B-5

Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Facilities Lease and Housing Services for 2010 Special Olympics National Games

RECOMMENDED ACTION: Approve the agreement with the 2010 National Games, a non-profit corporation, to lease certain University of Nebraska-Lincoln facilities and provide residential housing and food services for the 2010 Special Olympic Games.

PREVIOUS ACTION: None

EXPLANATION: The State of Nebraska and City of Lincoln are hosting the 2010 Special Olympics National Games on July 17-24, 2010. The City of Lincoln and the Lincoln Chamber of Commerce are coordinating with many public entities and private organizations to provide the facilities, security, transportation, health care and numerous other services that will make the 2010 Games successful.

UNL is actively cooperating with the State and City to make the games successful through a number of efforts. First, numerous competition events and related operational support activities will be held on UNL's City Campus. In addition, UNL has been requested to provide housing and food services for up to 4,000 athletes, coaches, officials and sponsors in residence halls and dining centers. Per the terms of the proposed agreement with 2010 National Games, UNL is being reimbursed by 2010 National Games for its costs for housing and food services, estimated at \$265,000 for facilities rental and \$1,165,000 for housing and dining services. The proposed contract represents the culmination of extensive negotiations with 2010 National Games in order to ensure recoveries of amounts due and protection against risks while allowing the games to proceed. The contract has been approved by Legal Counsel.

Members of the public and news media may obtain a copy of the agreement in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: None.

SOURCE OF FUNDS: Not applicable.

SPONSOR: Christine A. Jackson  
Vice Chancellor for Business and Finance

RECOMMENDED: Harvey Perlman, Chancellor  
University of Nebraska-Lincoln

DATE: December 18, 2009

TO:	The Board of Regents	Addendum X-B-6
	Business Affairs	
MEETING DATE:	January 22, 2010	
SUBJECT:	Disposal of various structures at the Nebraska Innovation Campus of the University of Nebraska-Lincoln	
RECOMMENDED ACTION:	Approve the disposal of certain buildings at the Nebraska Innovation Campus of the University of Nebraska-Lincoln (UNL).	
PREVIOUS ACTION:	<p>November 20, 2009 – The Board approved the Master Plan and Business Plan for Innovation Campus.</p> <p>September 5, 2008 – The Board provided the first certification of \$7,500,000 by October 1, 2008 as required by <u>Neb. Rev. Stat. § 2-113(2)(a)</u>. (Similar certifications were made by the Board on January 23, 2009 and June 12, 2009 culminating in \$21,500,000 of funds being committed as required by LB1116 to allow transfer of the Nebraska State Fairgrounds to the Board of Regents).</p>	
EXPLANATION:	<p>There are fourteen buildings which do not meet the needs of the approved Master Plan for the Nebraska Innovation Campus. These buildings are shown on the attached map and comprise 265,407 gross square feet. The buildings are wood frame, masonry with steel skeleton, or engineered metal structures. They were constructed to meet the needs of the Nebraska State Fair and do not meet the requirements in the Master Plan and are of little value to the University for the Innovation Campus. A list of the buildings and site map are attached. The buildings are located within Lot 45 I.T. and Lot 75 I.T., Section 13, Township 10 North, Range 6 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska.</p> <p>Approval of this item will allow the University to dispose of these structures and 24 other smaller structures, totaling 30,452 GSF, by the most beneficial means possible including but not limited to a sealed bid RFP for removal of the structures.</p>	
PROJECT COST:	Unknown	
ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance 1% Assessment	None N/A
SOURCE OF FUNDS:	N/A	
SPONSOR:	Christine A. Jackson Vice Chancellor for Business and Finance	
RECOMMENDED:	Harvey Perlman, Chancellor University of Nebraska-Lincoln	
DATE:	December 18, 2009	

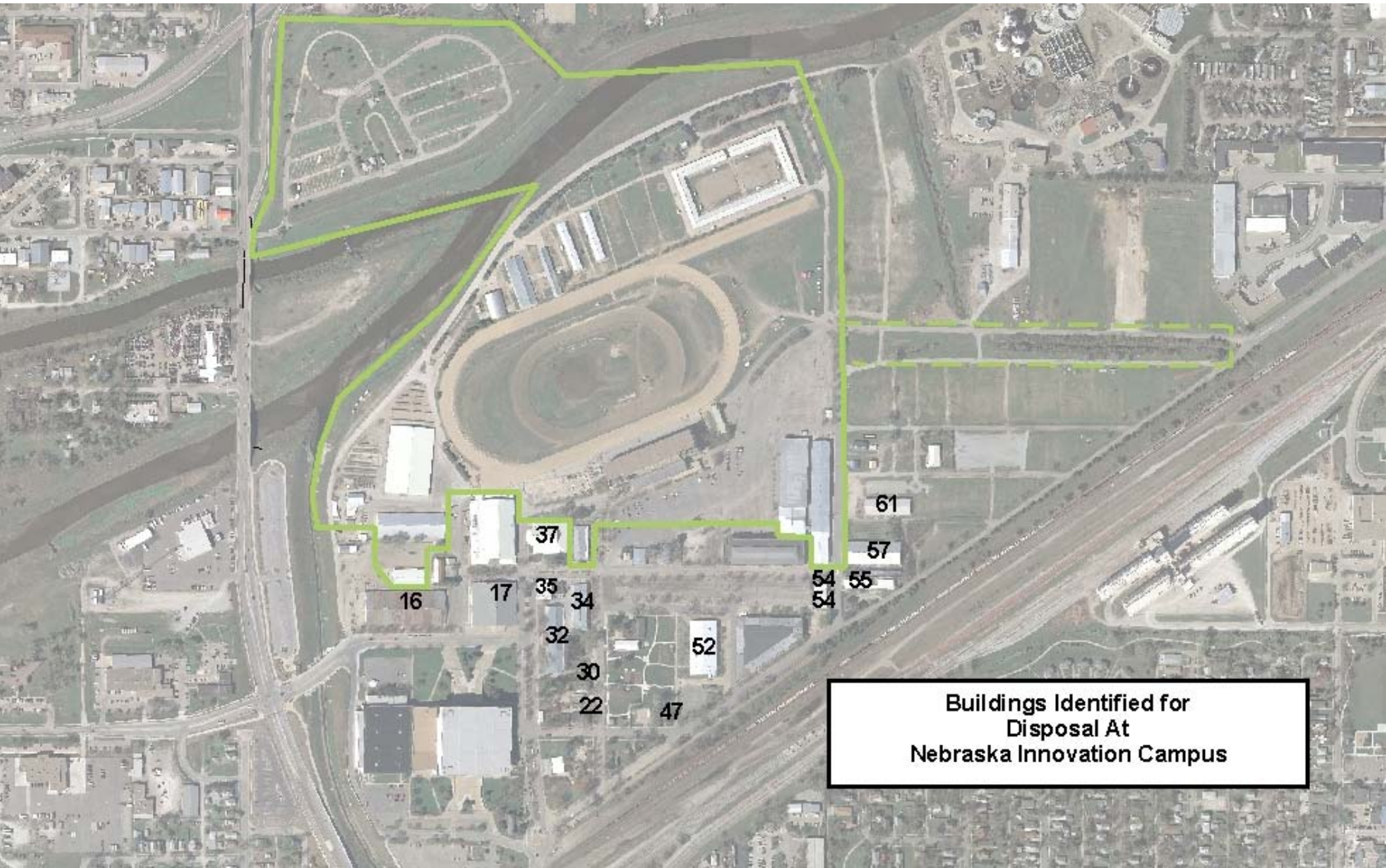
Innovation Campus  
Buildings Slated for Disposal

The table below identifies the most recent information available for building description and legal description.

Building Number	Legal Description*	General Description	Common Name
16	Lot 75	Engineered metal building constructed in 1962	Swine, Sheep & Goats Barn
17	Lot 75	Steel structure with precast concrete partitions constructed in 1982	Horse Barn #1
22	Lot 75	Wood frame structure constructed in 1978	Fish Aquarium
30	Lot 75	Reinforced concrete structure with masonry veneer constructed in 1945	University Museum
32	Lot 75	Masonry wall and wood structure constructed in 1955	Exposition
34	Lot 75	Masonry wall and wood structure constructed in 1945	Food Plaza
35	Lot 75	Engineered metal structure constructed in 1969	Café
37	Lot 75	Wood frame structure constructed in 1922	Auditorium
47	Lot 75	Wood frame structure with masonry veneer constructed in 1930	Manager's Residence #01
52	Lot 75	Engineered metal structure constructed in 1974	Agriculture Hall
54	Lot 75	Engineered metal structure constructed in 1970	Farmland
55	Lot 45	Masonry and steel structure constructed 1981	Youth Complex-Office/Classroom
57	Lot 45	Masonry and steel structure constructed in 1981	Youth Complex-Open Arena
61	Lot 45	Engineered metal structure constructed in 1991	Lancaster Building

- Lot 45 I.T. located in Section 13, Township 10 North, Range 6 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska
- Lot 75 I.T. located in Section 13, Township 10 North, Range 6 East of the 6<sup>th</sup> P.M., Lancaster County, Nebraska

All portions of the property are zoned P (Public.)



**Buildings Identified for Disposal At Nebraska Innovation Campus**

TO:	The Board of Regents  Business Affairs	Addendum X-B-7				
MEETING DATE:	January 22, 2010					
SUBJECT:	Revised Budget and Schedule for the Nanoscience Facility at the University of Nebraska-Lincoln					
RECOMMENDED ACTION:	Approve the Revised Budget and Schedule for the Nanoscience Facility at the University of Nebraska-Lincoln (UNL)					
PREVIOUS ACTION:	<p>March 7, 2008 – The Board of Regents approved the selection of Perkins &amp; Will/Bahr, Vermeer &amp; Haecker to provide design services for the Nanoscience Facility at UNL.</p> <p>January 18, 2008 – The Board of Regents approved issuance of bonds for financing the Nanoscience Facility at UNL.</p> <p>September 6, 2007 – The Board of Regents approved the program statement and budget for the Nanoscience Facility at UNL.</p>					
EXPLANATION:	<p>The University originally planned to fund the Nanoscience facility project with University of Nebraska Facilities Corporation Revenue Bonds. However, conditions in the bond market in the fourth quarter of calendar 2008 changed and the project was put on hold. The original item anticipated repayment of the bonds from F&amp;A (facilities and administrative) funds.</p> <p>Subsequently, the University applied for and has received a grant to partially fund the Nanoscience facility through federal stimulus funds (ARRA) for this ‘shovel-ready project’. The availability of federal funds facilitates timely completion of the project in support of research programs. The budget has been adjusted (increased) to reflect the build out of two laboratories not originally contemplated in the original budget. The project as currently structured will not require bond funding as the cash portion will be paid using F&amp;A funds.</p> <p>The project was originally scheduled to commence the building phase in April of 2009, with completion in July of 2010. The revised schedule is shown below.</p> <table border="0" style="width: 100%; margin-left: 20px;"> <tr> <td style="width: 80%;">Proposed start of construction</td> <td style="text-align: right;">April 2010</td> </tr> <tr> <td>Proposed completion of construction</td> <td style="text-align: right;">July 2011</td> </tr> </table>		Proposed start of construction	April 2010	Proposed completion of construction	July 2011
Proposed start of construction	April 2010					
Proposed completion of construction	July 2011					
PROJECT COST:	\$14,847,000					
ON-GOING FISCAL IMPACT:	Estimated Operating and Maintenance 1% Assessment	\$170,728 N/A				



SOURCE OF FUNDS:	Original Funding/Cost:	\$13,500,000
	New Funding: Federal Funds	\$ 6,904,993
	Cash Funds	<u>7,942,007</u>
		<u>\$14,847,000</u>

SPONSOR: Christine A. Jackson  
Vice Chancellor for Business and Finance

RECOMMENDED: Harvey Perlman, Chancellor  
University of Nebraska-Lincoln

DATE: December 22, 2009



**Nanoscience Facility at University of Nebraska–Lincoln**

TO: The Board of Regents  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: University of Nebraska at Omaha Student Housing and Parking

RECOMMENDED ACTION: (1) Approve a ground lease agreement with the Suzanne and Walter Scott Foundation (Scott Foundation) to provide 480 beds of student housing and related parking on the UNO campus; and (2) authorize the President to execute all legal instruments necessary to carry out the terms and conditions of the lease agreement.

PREVIOUS ACTION: August 9, 2003 – The Board approved the purchase and transfer of ownership of Scott Village to the Board of Regents of the University of Nebraska.  
  
January 19, 2002 – The Board approved the ground lease agreement with the Suzanne and Walter Scott Foundation providing for the construction and operation of additional student residence halls and related facilities on the UNO South Campus over a term ending on August 31, 2043.

EXPLANATION: The Scott Foundation proposes to construct additional housing units and parking on the Pacific Location of the UNO campus. The design of the four, three-story buildings, consisting of 480 beds will be comparable to the existing Maverick Village and Scott Village housing complexes. Each individual living unit will have four private bedrooms, two baths, a living room and kitchen. Additional housing capacity is needed at UNO for Avenue and Thompson Scholars and other underserved populations, e.g. international students. Full-time UNO students will continue to receive priority. Construction is to be completed by August, 2011.  
  
A new surface parking lot with 248 stalls, on the site, will be devoted to housing residents. In addition, the project includes approximately 73 stalls to be installed as diagonal or parallel parking on Pine and 64<sup>th</sup> Streets. Further, the Scott Foundation will construct, as part of the project, but at cost to the University, a 196 stall, surface parking lot on the northwest corner, adjacent to the site, for use by commuter students. Both the street parking and 196 stall lot will be available for use by August 1, 2010.

As part of the lease agreement, the University commits to purchase the leasehold estate from the Scott Foundation as soon as possible after both completion of construction and August 1, 2011 at an amount equal to the total cost of constructing the housing units and parking stalls less a maximum discount of \$10,000,000 as described in Section 19.01.C of the Ground Lease/Purchase Agreement (or such greater discount as the Scott Foundation may determine, in its sole discretion); provided, the University's purchase of the leasehold estate is conditioned upon 1) approval from the Nebraska Coordinating Commission of Post-Secondary Education and the Nebraska Legislature (or Executive Board); and 2) demonstrated ability to finance the net purchase price (after the discount) through revenue bonds and achieving a minimum Debt Service Coverage Ratio of 1.4 each year of the financing period. The Scott Foundation will receive a development fee for a 30 year-period at an amount not to exceed 60% of the Net Cash Flow, which amount will be lowered, if necessary, to enable the Debt Service Coverage Ratio to achieve a minimum of 1.4 each year.

If the purchase is not consummated as planned, the Scott Foundation will pay UNO 25% of net operating income beginning July, 2012.

The site plan is attached. The additional 196 stall parking lot is also noted. The estimated cost of the project is \$23,360,000.

Copies of the proposed lease agreement with the Scott Foundation may be obtained from the Office of the University's Corporation Secretary at 3835 Holdrege Street, Lincoln, NE 68583.

PROJECT COST: \$23,360,000

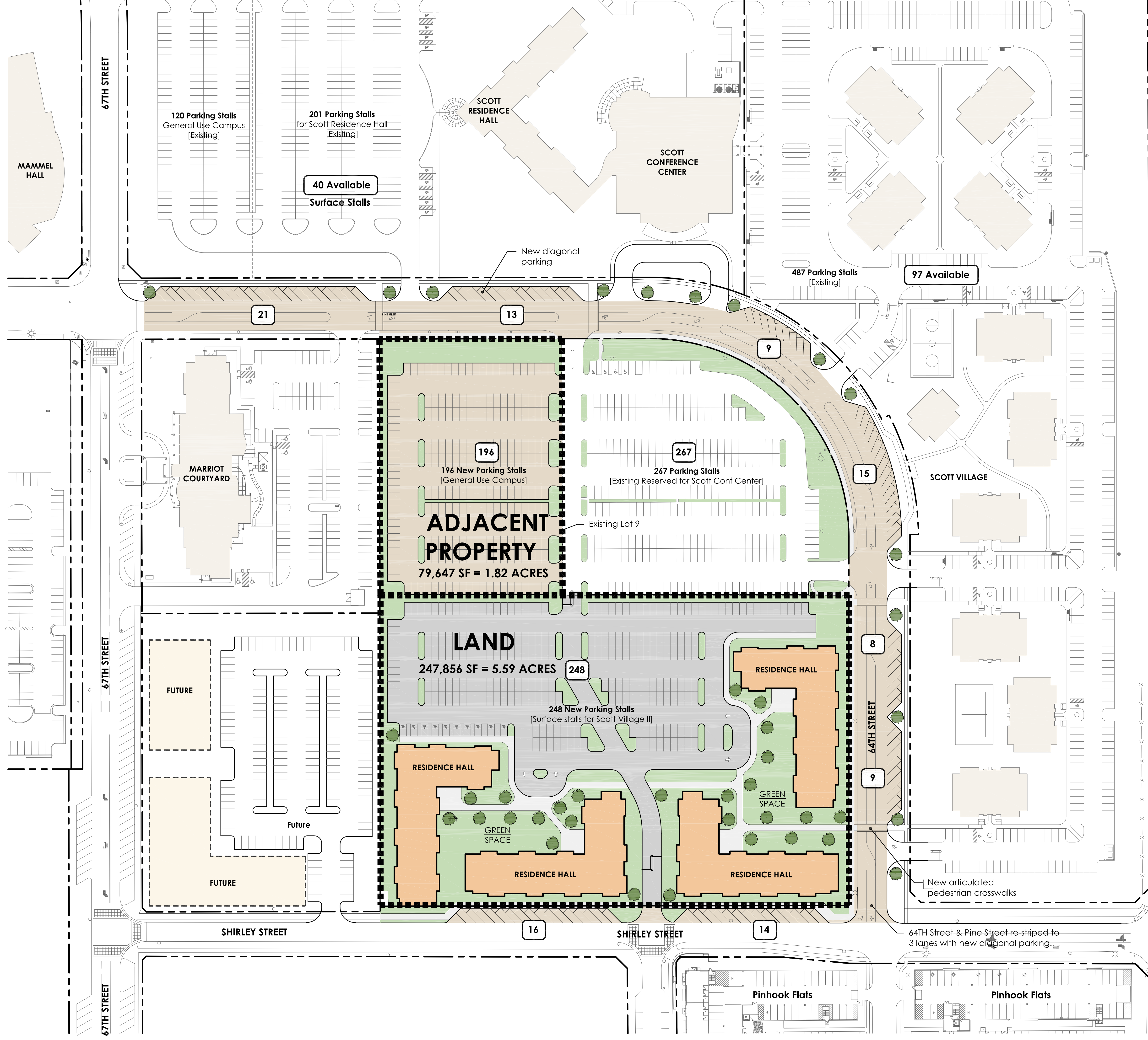
SOURCE OF FUNDS: Private Funds

SPONSORS: Terry Hynes  
Senior Vice Chancellor for Academic and Student Affairs

William E. Conley  
Vice Chancellor for Business & Finance

RECOMMENDED: John E. Christensen, Chancellor  
University of Nebraska at Omaha

DATE: January 15, 2010



**PROJECT STATISTICS :**

**BUILDINGS :**

<b>RESIDENCE HALLS :</b>	15,518 g.s.f./floor
[4 beds/unit x 10 units/floor = 40 beds/floor]	
	# of Beds
3 floors (120 beds/unit)	480
	Area / Building
	46,554

**PARKING :**

<b>Required Parking</b>	480 beds	384* Parking Stalls
	*80% of the beds use parking (via Jonathan Orich)	

**Available Parking**

<b>Existing</b>	Total	Available
Scott Residence Hall	201	40
Scott Village	487	97
Scott Conference Center	267	0
General Use Campus	120	0
	808	137
<b>New</b>		
Scott Village II		248
General Use Campus	196	
Shirley St - Diagonal	30	
Pine & 64th St - Diagonal	75	
	1,082	385

- Existing Parking
- Parking by Scott Village II
- Parking by UNO

**SITE DEVELOPMENT PLAN**



**UNO**  
**SCOTT VILLAGE II**  
**PRELIMINARY SITE PLAN**  
 09054  
 01/15/09

**C. FOR INFORMATION ONLY**

1. University of Nebraska Strategic Planning Framework Addendum X-C-1
2. University of Nebraska Strategic Framework Accountability Measures Addendum X-C-2
3. Calendar of establishing and reporting accountability measures Addendum X-C-3
4. University of Nebraska Strategic Dashboard Indicators Addendum X-C-4
5. Board of Regents agenda items related to the University of Nebraska Strategic Framework Addendum X-C-5

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: University of Nebraska Strategic Framework

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic Framework document.

RECOMMENDED: James B. Milliken, President  
University of Nebraska

DATE: December 21, 2009

## **INVESTING IN NEBRASKA'S FUTURE**

### **Strategic Planning Framework**

**2010-2013**

The University of Nebraska is a four-campus, public university which was created and exists today to serve Nebraskans through quality teaching, research, and outreach and engagement. We strive to be the best public university in the country as measured by the impact we have on our people and our state, and through them, the world. To do that, we must compete effectively with other institutions around the world for talented students and faculty. The future of Nebraska is closely tied to that of its only public university, and this framework guides university-wide and campus planning to help build and sustain a Nebraska that offers its citizens educational and economic opportunity and a high quality of life.

The framework consists of six overarching goals emphasizing access and affordability, quality academic programs, workforce and economic development, research growth, engagement with the state, and accountability. Each goal has a number of related objectives, strategies and accountability measures developed for Board and university-wide monitoring over a multi-year period. Companion documents include an implementation tool with metrics and the schedule for monitoring by the Board, as well as a dashboard reflecting progress.

The university's efforts will not be limited to these priorities, as we expect to be able to measure progress in other areas given the interrelatedness of the objectives, other priorities of the Board and the President, and the ongoing strategic planning efforts of the four campuses. Campus plans are consistent with this framework and operate within its broader goals. Each campus has established a set of quality indicators that provide a means to evaluate achievement and momentum related to its principal objectives.



1. The University of Nebraska will provide the opportunity for Nebraskans to enjoy a better life through access to high quality, affordable undergraduate, graduate and professional education.
  - a. The university will strive to increase affordability and ensure qualified students are not denied access based on economic circumstances.
    - i. *Secure state funding sufficient to support access to high quality programs.*
    - ii. *Keep tuition increases moderate and predictable for students and families, consistent with goals of both access and quality.*
    - iii. *Expand need-based financial aid and effectively market opportunity and major aid programs (e.g. Collegebound Nebraska, Buffett Scholars, Thompson Learning Communities).*
  - b. Increase the percentage of Nebraska high school graduates (the state “college-going rate”) who enroll at and graduate from the university.
    - i. *Increase enrollment, consistent with quality imperatives, to serve Nebraska’s goals for increased educational attainment.*
    - ii. *Increase each campus’s undergraduate freshman-to-sophomore retention rate each year, with a goal of exceeding the average of its peer institutions.*
    - iii. *Increase each campus’s undergraduate six-year graduation rate, with a goal of exceeding the average of its peer institutions.*
  - c. Increase the diversity of those who enroll at and graduate from the university, employing measures permitted by state and federal law.
    - i. *Engage in partnerships with other higher education institutions, K-12, and the private sector to increase diversity of students who seek a post-secondary education, employing measures permitted by state and federal law.*
  - d. Expand lifelong educational opportunities, including those for non-traditional and transfer students.
  - e. Promote adequate student preparation for success in higher education.
    - i. *Engage in pilot programs with Nebraska high schools for development of high school academies in partnership with the university.*
    - ii. *Provide timely and usable information to middle school students, parents, teachers and school administrators.*

- f. Promote ease of transfer to the university from other higher education institutions.
    - i. *Improve programs for transfer from community colleges, state colleges and other higher education institutions.*
  - g. Expand distance education programs, taking advantage of university-wide marketing and efficiencies and campus role and mission, strengths and entrepreneurship.
2. The University of Nebraska will build and sustain undergraduate, graduate and professional programs of high quality with an emphasis on excellent teaching.
- a. Recruit and retain exceptional faculty and staff, with special emphasis on building and sustaining diversity.
    - i. *To help ensure competitiveness, faculty salaries and incentives (awarded on the basis of merit) and fringe benefits should exceed the average of peer institutions.*
    - ii. *Develop and maintain programs to enhance work/life conditions of faculty and staff, including overall campus climate.*
    - iii. *Each campus shall endeavor to meet the university's ongoing commitments to faculty diversity, employing measures permitted by state and federal law.*
    - iv. *Increase support for professorships and named/distinguished chairs.*
  - b. Pursue excellence through focus on targeted programs in areas of importance to Nebraska where the university can be a regional, national and/or international leader (e.g. agriculture and natural resources, life sciences, information technology and architectural engineering).
    - i. *Programs of Excellence funding shall be increased when practicable and results of allocations shall be periodically reviewed for impact.*
    - ii. *Resource allocation shall take advantage of distinct campus roles and missions to achieve overall university goals.*
    - iii. *Campuses are encouraged to collaborate to achieve overall university goals.*
  - c. Provide opportunities for global engagement of faculty through international teaching, research and outreach exchanges, fellowships and collaborations.
    - i. *Increase faculty participation in Fulbright and related programs.*

3. The University of Nebraska will play a critical role in building a talented, competitive workforce and knowledge-based economy in Nebraska in partnership with the state, private sector and other educational institutions.
  - a. Work to stem and reverse the out-migration of graduates and knowledge workers.
  - b. Increase proportion of the most talented Nebraska high school students who attend the University of Nebraska.
    - i. *Increase enrollment of Nebraska students ranked in top 25% of their high school class.*
    - ii. *Increase support for merit-based scholarships.*
  - c. To attract talent to the state, increase the number of nonresident students who enroll at the university.
    - i. *Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*
  - d. To adequately prepare students for the global economy, significantly increase opportunities for international study and engagement.
    - i. *Significantly increase the number of undergraduates studying abroad, with the goal of ultimately providing the opportunity for every undergraduate to study abroad.*
    - ii. *Significantly increase the number of international undergraduates and graduates studying at the university.*
  - e. Encourage and facilitate the commercialization of research and technology to benefit Nebraska.
  - f. Develop and strengthen internship and service learning opportunities with business, education, government, military, and nonprofit organizations.
  - g. Engage in partnerships with government and the private sector to develop regional economic strength.
  - h. Pursue excellence in educational attainment aligned with the long-term interests of the state.
    - i. *Determine key areas of future workforce demand and strengthen or develop curricula and programs appropriate to a university in alignment with those areas.*
    - ii. *Develop educational programs that prepare students for the flexibility required to respond to the uncertainty of future workforce demands.*

*iii. Develop distance education and other educational programs that permit Nebraskans to prepare for jobs and opportunities to meet future workforce demands.*

4. The University of Nebraska will pursue excellence and regional, national and international competitiveness in research and scholarly activity, as well as their application, focusing on areas of strategic importance and opportunity.

a. Increase external support for research and scholarly activity.

*i. Increase federal support for instruction, research and development, and public service.*

*ii. Inventory and forecast infrastructure (physical facilities, information technology, equipment) necessary to support continued growth in research activity and secure private and public support to eliminate deficiencies.*

b. Increase undergraduate and graduate student participation in research and its application.

c. Encourage and support interdisciplinary, intercampus, inter-institutional and international collaboration.

d. Improve the quantity and quality of research space through public and private support.

e. Focus resources on areas of strength in research where the university has the opportunity for regional, national and international leadership and in areas of strategic importance to the health and economic strength of Nebraska (e.g. agriculture and life sciences; natural resources, especially water; prevention and cure of diseases such as cancer; and early childhood education).

*i. Invest resources through the Nebraska Research Initiative, Programs of Excellence and other sources to build capacity and excellence in research.*

5. The University of Nebraska will serve the entire state through strategic and effective engagement and coordination with citizens, businesses, agriculture, other educational institutions, and rural and urban communities and regions.

a. Support economic growth, health and quality of life through policy initiatives consistent with university mission.

b. Recognize and reward faculty innovation and effectiveness in outreach and engagement.

- c. Support Nebraska's economic development.
  - i. Partner and collaborate with government and the private sector to attract, retain, and spur business development and economic opportunity.*
  - ii. Use university research and other resources to foster more effective relationships with the private sector.*
- d. Support entrepreneurship education, training and outreach.
- e. Collaborate with the public and private sectors to build successful regional, multistate, international linkages.
- f. Use university resources to engage Nebraskans outside cities where our major campuses are located.
  - i. Effectively use the Nebraska Rural Initiative and other university-wide and campus programs to develop excellence in supporting community development while creating quality economic opportunities throughout rural Nebraska.*
  - ii. Effectively use regional research and extension operations and statewide extension for engagement with the university.*

6. The University of Nebraska will be cost effective and accountable to the citizens of the state.

- a. Support the development of a sustainable university environment.
  - i. Build a comprehensive long-range capital facilities planning process and provide a six-year capital construction plan, updated quarterly.*
  - ii. Implement the second phase of LB 605 to repair, renovate and/or replace specific university facilities.*
  - iii. Campuses shall pursue energy efficiency.*
  - iv. Campuses shall promote through policies and scheduling effective utilization of university facilities.*
- b. Maintain a safe environment for students, faculty, staff and visitors.
  - i. Develop and regularly monitor fire safety plans and procedures.*
  - ii. Collaborate with state and local government in disaster planning.*
  - iii. Develop and test campus plans for emergencies and disasters.*

- c. Allocate resources in an efficient and effective manner.
  - i. *Use best practices in procurement and construction and other business engagement.*
  - ii. *Leverage roles and missions of campuses to find savings and cost reductions through academic, administrative and business process efficiencies and effectiveness.*
  - iii. *Develop and report on matrix of business health indicators, including university debt.*
- d. Maximize and leverage non-state support.
  - i. *Promote entrepreneurship and revenue-generating opportunities.*
  - ii. *Collaborate with the University of Nebraska Foundation to secure private support for university priorities.*
- e. Create and report performance and accountability measures.
- f. Maximize potential of information technology to support the university's activities.
- g. Provide accurate and transparent information to the public about college costs and student learning and success outcomes.
  - i. *Participate in the Voluntary System of Accountability.*
  - ii. *Participate in the National Survey of Student Engagement.*
  - iii. *Monitor student achievements on licensing and professional examinations.*
  - iv. *Participate and measure effectiveness of national pilot projects on learning assessment with the goal of adopting university measurements.*
- h. Implement awareness and education programs to assist all students in management of personal financial matters.

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: University of Nebraska Strategic Framework Accountability Measures

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic accountability measures.

RECOMMENDED: James B. Milliken, President  
University of Nebraska

DATE: December 21, 2009

## INVESTING IN NEBRASKA'S FUTURE

### Strategic Planning Framework

2010-2013

#### Accountability Measures

##### 1. State Funding (1-a-i)

*Secure state funding sufficient to support access to high quality programs.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2010-11	Attain sufficient state funding that will allow moderate and predictable tuition increases to fund biennial operating budget needs.	June 2010	Business
FY 2011-12	TBD (June 2010)	June 2011	Business
FY 2012-13	TBD (June 2010)	June 2012	Business

##### 2. Tuition (1-a-ii)

*Keep tuition increases moderate and predictable for students and families, consistent with goals of both access and quality.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2010-11	Attain sufficient state funding that will allow moderate and predictable tuition increases to fund biennial operating budget needs.	June 2010	Business
FY 2011-12	TBD (June 2010)	June 2011	Business
FY 2012-13	TBD (June 2010)	June 2012	Business



**3. Need-based Financial Aid (1-a-iii)**

*Expand need-based financial aid and effectively market opportunity and major aid programs (e.g. Collegebound Nebraska, Buffett Scholars, Thompson Learning Communities).*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2009-10	1) Report on the implementation, including results, of the plan to expand the Tuition Assistance Program. 2) Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2010	Academic
FY 2010-11	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2011	Academic
FY 2011-12	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2012	Academic

**4. Enrollment (1-b-i)**

*Increase enrollment, consistent with quality imperatives, to serve Nebraska's goals for increased educational attainment.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Oct. 2010	Academic
Fall 2011	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Nov. 2011	Academic
Fall 2012	1) Increase undergraduate enrollment by 1.5% annually. 2) Maintain a retention rate of 80% or above for undergraduate students.	Nov. 2012	Academic

**5. Graduation Rates (1-b-iii)**

*Increase each campus's undergraduate six-year graduation rate, with a goal of exceeding the average of its peer institutions.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
2007-08 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2010	Academic
2008-09 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2011	Academic
2009-10 Academic Year	1) Each campus will maintain or reach the average six-year graduation rate of its peers. 2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.	Jan. 2012	Academic

## 6. Faculty Merit Compensation (2-a-i)

*To help ensure competitiveness, faculty salaries and incentives (awarded on the basis of merit) and fringe benefits should exceed the average of peer institutions.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2008-09	<ol style="list-style-type: none"> <li>1) All salary increases should be awarded, to the extent possible, on the basis of merit.</li> <li>2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers.</li> <li>3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance.</li> </ol>	April 2010	Business
FY 2009-10	<ol style="list-style-type: none"> <li>1) All salary increases should be awarded, to the extent possible, on the basis of merit.</li> <li>2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers.</li> <li>3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance.</li> </ol>	April 2011	Business
FY 2010-11	<ol style="list-style-type: none"> <li>1) All salary increases should be awarded, to the extent possible, on the basis of merit.</li> <li>2) Average faculty salaries on each campus shall meet or exceed the midpoint of peers.</li> <li>3) Once the midpoint of peers has been met or exceeded, an exceptional merit fund shall be established to provide additional incentives related to performance.</li> </ol>	April 2012	Business

## 7. Faculty Diversity (2-a-iii)

*Each campus shall endeavor to meet the university's ongoing commitments to faculty diversity, employing measures permitted by state and federal law.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2009	<ol style="list-style-type: none"> <li>1) Increase faculty diversity, employing measures permitted by state and federal law.</li> <li>2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers.</li> </ol>	Sept. 2010	Academic
Fall 2010	<ol style="list-style-type: none"> <li>1) Increase faculty diversity, employing measures permitted by state and federal law.</li> <li>2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers.</li> </ol>	Sept. 2011	Academic
Fall 2011	<ol style="list-style-type: none"> <li>1) Increase faculty diversity, employing measures permitted by state and federal law.</li> <li>2) Report on the diversity of the faculty and the relative rate of change in faculty composition as compared to peers.</li> </ol>	Sept. 2012	Academic

**8. Nebraska Top 25% (3-b-i)***Increase enrollment of Nebraska students ranked in top 25% of their high school class.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Increase enrollment of first-time freshmen ranked in the top quartile of their high school graduating class to 50.0%.	Oct. 2010	Academic
Fall 2011	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater.	Nov. 2011	Academic
Fall 2012	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater.	Nov. 2012	Academic

**9. Merit-based Scholarships (3-b-ii)***Increase support for merit-based scholarships.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2009-10	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2010	Academic
FY 2010-11	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2011	Academic
FY 2011-12	Raise at least \$6 million in private funds (endowment and/or spendable).	Sept. 2012	Academic

**10. Nonresident Student Enrollment (3-c-i)***Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Increase the number of new nonresident undergraduate students by one percent annually.	Oct. 2010	Academic
Fall 2011	Increase the number of new nonresident undergraduate students by one percent annually.	Nov. 2011	Academic
Fall 2012	Increase the number of new nonresident undergraduate students by one percent annually.	Nov. 2012	Academic

### 11. Workforce Development (3-h-iii)

*Develop distance education and other educational programs that permit Nebraskans to prepare for jobs and opportunities to meet future workforce demands.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2009	1) Align university programs to address workforce needs. 2) Provide distance education programs consonant with the university's curriculum to prepare Nebraskans for quality jobs and self-employment opportunities.	March 2010	Outreach
Fall 2010	Index and analyze faculty research that may contribute to new workforce opportunities.	March 2011	Outreach
Fall 2011	1) Continue aligning academic programs to address workforce needs. 2) Update research on major categories of workforce development needs for future program alignment.	March 2012	Outreach

### 12. Research (4-a-i)

*Increase federal support for instruction, research and development, and public service.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2008-09	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2010	Academic
FY 2009-10	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2011	Academic
FY 2010-11	1) Increase UNL and UNMC federal research awards from all federal agencies at a rate 20% higher per year than weighted total national federal awards per year on three-year rolling average. 2) For UNO and UNK, achieve seven percent compounded growth annually, continuing progress toward the ten-year goal of doubling sponsored awards for instruction, research and public service from all sources over FY 2005-06 awards of approximately \$11.2 million and \$2.3 million, respectively.	March 2012	Academic

### 13. Entrepreneurship (5-d)

*Support entrepreneurship education, training and outreach.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Spring 2010	1) Increase training hours invested by program participants by 5% over FY 2007-08 total of 79,538. 2) Increase number of clients assisted by 5% over FY 2007-08 total of 13,677. 3) Increase SBIR/STTR applications by 10% over FY 2007-08 total of 55. 4) Increase SBIR/STTR award amounts by 5% over FY 2007-08 total of \$1,990,023. 5) Increase investment in NU assisted companies by 5% over FY 2007-08 total of \$35,656,000. 6) Increase NU assisted business start-ups and transitions by 5% over FY 2007-08 total of 387.	April 2010	Outreach
Spring 2011	Evaluate and modify annual targets as appropriate.	April 2011	Outreach
Spring 2012	Evaluate and modify annual targets as appropriate.	April 2012	Outreach

### 14. LB 605 (6-a-ii)

*Implement the second phase of LB 605 to repair, renovate and/or replace specific university facilities.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2010	Renovation projects proceeding on budget and on time.	Dec. 2010	Business
Fall 2011	Renovation projects proceeding on budget and on time.	Nov. 2011	Business
Fall 2012	Renovation projects proceeding on budget and on time.	Nov. 2012	Business

## 15. Business Process Efficiencies (6-c-ii)

*Leverage roles and missions of campuses to find savings and cost reductions through academic, administrative and business process efficiencies and effectiveness.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
2008 Calendar Year	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	TBD	Business
2009 Calendar Year	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	TBD	Business
2010 Calendar Year	<ol style="list-style-type: none"> <li>1) Short-Term Cash/Investments: Exceed average of similar fund types</li> <li>2) Endowments: Exceed average of similar fund types</li> <li>3) Debt: Maintain Aa2 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on LB 605 Projects, Capital Queue</li> <li>5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations</li> <li>6) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> <li>7) Information Technology: report on implementation of SIS and SAP</li> </ol>	<ol style="list-style-type: none"> <li>1) June 2010</li> <li>2) Dec. 2010</li> <li>3) Dec. 2010</li> <li>4) 605, Dec. 2010; Queue, (March/June/Sept./Dec. 2010)</li> <li>5) TBD</li> <li>6) April 2010</li> <li>7) SIS, March/Sept. 2010; SAP, Sept. 2010</li> </ol>	Business
2011 Calendar Year	<ol style="list-style-type: none"> <li>1) Short-Term Cash/Investments: Exceed average of similar fund types</li> <li>2) Endowments: Exceed average of similar fund types</li> <li>3) Debt: Maintain Aa2 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on LB 605 Projects, Capital Queue</li> <li>5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations</li> <li>6) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> <li>7) Information Technology: report on implementation of SIS and SAP</li> </ol>	<ol style="list-style-type: none"> <li>1) 2<sup>nd</sup> Quarter 2011</li> <li>2) 4<sup>th</sup> Quarter 2011</li> <li>3) 4<sup>th</sup> Quarter 2011</li> <li>4) 605, 4<sup>th</sup> Quarter 2011; Queue, Quarterly</li> <li>5) TBD</li> <li>6) 2<sup>nd</sup> Quarter 2011</li> <li>7) SIS, 1<sup>st</sup> and 3<sup>rd</sup> Quarter 2011; SAP, 3<sup>rd</sup> Quarter 2011</li> </ol>	Business
2012 Calendar Year	<ol style="list-style-type: none"> <li>1) Short-Term Cash/Investments: Exceed average of similar fund types</li> <li>2) Endowments: Exceed average of similar fund types</li> <li>3) Debt: Maintain Aa2 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on LB 605 Projects, Capital Queue</li> <li>5) Expenditures: Drive strategic investment through Programs of Excellence, reallocations</li> <li>6) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> <li>7) Information Technology: report on implementation of SIS and SAP</li> </ol>	<ol style="list-style-type: none"> <li>1) 2<sup>nd</sup> Quarter 2012</li> <li>2) 4<sup>th</sup> Quarter 2012</li> <li>3) 4<sup>th</sup> Quarter 2012</li> <li>4) 605, 4<sup>th</sup> Quarter 2012; Queue, Quarterly</li> <li>5) TBD</li> <li>6) 2<sup>nd</sup> Quarter 2012</li> <li>7) SIS, 1<sup>st</sup> and 3<sup>rd</sup> Quarter 2012; SAP, 3<sup>rd</sup> Quarter 2012</li> </ol>	Business

## 16. Student Learning Assessment (6-g)

*Provide accurate and transparent information to the public about college costs and student learning and success outcomes.*

<b>Reporting Period</b>	<b>Accountability Measure</b>	<b>Report Date</b>	<b>Reporting Committee</b>
Fall 2009	<ol style="list-style-type: none"><li>1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.</li><li>2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.</li></ol>	April 2010	Academic
Fall 2010	<ol style="list-style-type: none"><li>1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.</li><li>2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.</li></ol>	April 2011	Academic
Fall 2011	<ol style="list-style-type: none"><li>1) Annual or other periodic review, as available, by the Board of performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.</li><li>2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.</li></ol>	April 2012	Academic

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Calendar of establishing and reporting accountability measures

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is a calendar of establishing and reporting accountability measures.

RECOMMENDED: James B. Milliken, President  
University of Nebraska

DATE: December 21, 2009



# Strategic Framework Accountability Measure Reporting and Updating Calendar

Revised January 1, 2010

<u>Board Meeting Date</u>	<u>Academic Affairs Committee</u>	<u>Business Affairs Committee</u>	<u>Outreach and Economic Development Ad Hoc Committee</u>
January 22, 2010	Graduation Rates [1-b-iii]	None	None
February 12, 2010	UNL campus visit with discussion of campus strategic plan and performance indicators.		
March 5, 2010	Research [4-a-i]	Administrative/Business Efficiencies [6-c-ii] <i>(Report on SIS, Capital Queue)</i>	Workforce Development [3-h-iii]
April 16, 2010	Student Learning Assessment [6-g]	Faculty Merit Compensation [2-a-i] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Human Resources)</i>	Entrepreneurship [5-d]
May 21, 2010	UNMC campus visit with discussion of campus strategic plan and performance indicators.		
June 11, 2010	None	State Funding [1-a-i] Tuition [1-a-ii] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Short-term Cash/Investments, Capital Queue)</i>	None
July 23, 2010	None	None	None
September 10, 2010	Need-based Financial Aid [1-a-iii] Faculty Diversity [2-a-iii] Merit-based Scholarships [3-b-ii]	Administrative/Business Efficiencies [6-c-ii] <i>(Report on SIS, SAP, Capital Queue)</i>	None
October 15, 2010	Enrollment [1-b-i] Nebraska Top 25% [3-b-i] Nonresident Student Enrollment [3-c-i]	None	None
December 2, 2010	None	LB 605 [6-a-ii] Administrative/Business Efficiencies [6-c-ii] <i>(Report on Endowments, Debt, LB 605, Capital Queue)</i>	None

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: University of Nebraska Strategic Dashboard Indicators

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: None

EXPLANATION: Attached is the current version of the Strategic Framework Indicators.





RECOMMENDED: James B. Milliken, President  
University of Nebraska






DATE: December 21, 2009



# University of Nebraska Strategic Dashboard Indicators (January 22, 2010)

State Funding Change (Indicator 1.a.i) FY2009-10	Tuition Change (Indicator 1.a.ii) FY2009-10	Enrollment Change (Indicator 1.b.i) Fall 2009																														
<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;"><u>Target</u></th> <th style="width: 70%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Sufficient funding=Moderate tuition increase</td> <td style="text-align: center;">1.5%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Sufficient funding=Moderate tuition increase	1.5%	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;"><u>Target</u></th> <th style="width: 70%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> Sufficient funding=Moderate tuition increase</td> <td style="text-align: center;">4.0%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	Sufficient funding=Moderate tuition increase	4.0%	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;"><u>Target</u></th> <th style="width: 70%;"><u>Performance</u></th> </tr> <tr> <td style="text-align: center;"> 1.5%</td> <td style="text-align: center;">2.0%</td> </tr> </table>	<u>Target</u>	<u>Performance</u>	1.5%	2.0%																		
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# University of Nebraska Strategic Dashboard Indicators (January 22, 2010)

Federal Research Funding Growth (Indicator 4.a.i) UNL and UNMC FY2007-08			Research/Scholarly Activity Growth (Indicator 4.a.i) UNO and UNK FY2007-08		
Campus	Target	Performance	Campus	Target	Performance
 UNL	1.82%	.66%	 UNO	7.00%	20.40%
 UNMC	1.16%	-5.18%	 UNK	7.00%	-54.49%

	<u>Indicator</u>	<u>Target</u>	<u>Performance</u>
	<b>Four-Year Graduation Guarantee (1.b.iii)</b> AY2005-06	All prospective and current undergraduate students are informed about the University's four-year graduation guarantee.	All campuses have posted information about the four-year graduation guarantee on their websites and also have a link to four-year graduation guarantee information on the UNCA website.
	<b>Faculty Salaries (2.a.i)</b> Fall 2008	Award all salary increases, to the extent possible, on the basis of merit.	Faculty salaries at UNL and UNMC may be based/granted entirely on merit, while faculty salaries at UNO and UNK are negotiated through the collective bargaining process and therefore the amount and method of distribution at UNO and UNK must be determined by agreement.
	<b>Workforce Demand (2.c.iii)</b> Fall, 2008	Compile, analyze and present data on future workforce demand and comparative economic advantages in Nebraska.	Data on workforce demand have been evaluated. The University of Nebraska continues to develop a variety of new programs that will help to address the workforce needs of the state.
	<b>Entrepreneurship (3.d)</b> Spring 2009	<ol style="list-style-type: none"> <li>1) Increase training hours by 5%.</li> <li>2) Increase number of clients by 5%.</li> <li>3) Increase SBIR/STTR applications by 10%.</li> <li>4) Increase SBIR/STTR awards by 5%.</li> <li>5) Increase investment in NU-assisted companies by 5%.</li> <li>6) Increase NU-assisted startups and transitions by 5%.</li> </ol>	<ol style="list-style-type: none"> <li>1) Training hours grew by 44%.</li> <li>2) Clients increased by 5%.</li> <li>3) SBIR/STTR applications increased 72%.</li> <li>4) SBIR/STTR awards increased 38%.</li> <li>5) Investment in NU-assisted companies increased .8%.</li> <li>6) NU-assisted start-ups and transitions increased 9%.</li> </ol>
	<b>Student Learning Assessment (6.f.i)</b> Fall 2008	<ol style="list-style-type: none"> <li>1. Review performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.</li> <li>2. Report on participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.</li> </ol>	<p>UNK, UNL and UNO currently participate in the National Survey of Student Engagement (NSSE). Performance on professional licensure examinations is above average for all campuses.</p> <p>UNK and UNL are currently implementing the Collegiate Assessment of Academic Progress (CAAP) as an additional assessment tool, while UNO piloted the Collegiate Learning Assessment (CLA) in 2007-08.</p>

<b>LEGEND:</b>	 Target Met or Exceeded	 Progress Toward Target	 Target Not Met
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# University of Nebraska Strategic Dashboard Indicators (January 22, 2010)

	<u>Indicator</u>	<u>Target</u>	<u>Performance</u>
	<b>Administrative Best Practices (6.a.ii)</b>		
	<b>September 2009</b>	Information Technology: report on implementation of SIS and SAP	Report presented on SIS implementation.
	<b>November 2008</b>	Short-Term Cash/Investments: Exceed average of similar fund types	Exceeds average of similar fund types for 3 and 5-year periods; slightly below average for 1-yr period.
	<b>December 2009</b>	Endowments: Exceed average of similar fund types	Fund N endowment returns suffered a loss of 21.5% for the year ending June 30, 2009. Similar funds experienced a decrease in returns of 17.5% and therefore the metric was not met.
	<b>December 2009</b>	Debt: Maintain Aa2 rating; exceed 1.15 coverage	Maintained Aa2 rating, and exceeded 1.15 coverage.
	<b>November 2008</b>	Capital: Report on LB 605 Projects, Capital Queue	Projects are within budget and proceeding as quickly as possible given space and review constraints.
<input type="checkbox"/>	<b>TBD</b>	Expenditures: Drive strategic investment through Programs of Excellence, reallocations	
	<b>April 2009</b>	Human Resources: Meet midpoint of peers in faculty and staff salaries	Faculty salaries at all campuses are below the midpoint of peers for 2008.

**LEGEND:**



Target Met or Exceeded



Progress Toward Target



Target Not Met

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Board of Regents agenda items related to the University of Nebraska  
Strategic Framework

RECOMMENDED ACTION: For Information Only

PREVIOUS ACTION: The current version of the framework appears as an information item at  
each Board of Regents meeting.  
  
April 2005 – The Board of Regents began development of the University  
of Nebraska “Strategic Framework – Accountability Measures”  
document.

EXPLANATION: Attached is an explanation of the agenda items that are aligned with the  
strategic goals of the Board of Regents’ Strategic Framework.

RECOMMENDED: James B. Milliken, President  
University of Nebraska

DATE: December 21, 2009

Alignment of the University's Strategic Goals with Board of Regents Agenda Items  
January 22, 2010

- 1. The University of Nebraska will provide the opportunity for Nebraskans to enjoy a better life through access to high quality, affordable undergraduate, graduate and professional education.**
  - Strategic Framework annual report on Graduation Rates.
  - Academic Affairs committee presentation on student recruitment.
  - Report on programs with tuition variances.
  
- 2. The University of Nebraska will build and sustain undergraduate, graduate and professional programs of high quality with an emphasis on excellent teaching.**
  - Approve the creation of the School of Interdisciplinary Informatics at UNO.
  - Approve amendments to the collective bargaining agreement with American Association of University Professors at UNO.
  - Approve the revised budget and schedule for the NanoScience facility at UNL.
  - Report on Fall 2009 Tenure Density.
  - Report of the expedited approval of the UNO Graduate Certificate in Business for Bioscientists.
  
- 3. The University of Nebraska will play a critical role in building a talented, competitive workforce and knowledge-based economy in Nebraska in partnership with the state, private sector and other educational institutions.**
  - Approve the creation of the School of Interdisciplinary Informatics at UNO.
  
- 4. The University of Nebraska will pursue excellence and regional, national and international competitiveness in research and scholarly activity, as well as their application, focusing on areas of strategic importance and opportunity.**
  - Approve the revised budget and schedule for the NanoScience facility at UNL.
  
- 5. The University of Nebraska will serve the entire state through strategic and effective engagement and coordination with citizens, businesses, agriculture, other educational institutions, and rural and urban communities and regions.**
  - Outreach and Economic Development Ad Hoc committee presentation of urban economic development strategies.
  - Approve the agreement with the 2010 National Games for facility rental and food services for the 2010 Special Olympic Games.
  - Approve the disposal of certain buildings at the Nebraska Innovation Campus.
  
- 6. The University of Nebraska will be cost effective and accountable to the citizens of the state.**
  - Approve the acceptance of certain audited financial statements of the University.
  - Approve appointments to the Othmer-Topp Endowments Committee.
  - Approve amendments to the Bylaws and Policies of the Board of Regents relating to conflict of interest and nepotism.

**D. REPORTS**

1. Fall 2009 Tenure Density Report Addendum X-D-1
2. Programs with Tuition Variances Addendum X-D-2
3. Expedited approval of University of Nebraska at Omaha Graduate Certificate in Business Bioscientists within the graduate program of Business Administration Addendum X-D-3
4. Report of Bids and Contracts Addendum X-D-4

Additional Item

5. 1) Change to Board of Regents Policy 3.2.8, Conflict of Interest: Campus Conflict of Interest Policies; 2) Code of Conduct for University of Nebraska Student Financial Aid Workers Addendum X-D-5



TO: The Board of Regents Addendum X-D-1  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Tenure Density Report

RECOMMENDED ACTION: Report

PREVIOUS ACTION: January 23, 2009 – The Board of Regents accepted the Fall 2007 University of Nebraska Tenure Density Report.

EXPLANATION: The report includes headcounts and net changes across years for Faculty and Administrators with tenure status or in tenure-track positions on all campuses. The purpose of the report is to show the number and percentage of individuals that are tenured at each campus.

PROJECT COST: None

SOURCE OF FUNDS: None

SPONSOR: Linda Ray Pratt  
Executive Vice President and Provost

RECOMMENDED: James B. Milliken  
President

DATE: December 21, 2009

**UNIVERSITY OF NEBRASKA**  
**TENURE DENSITY**  
**Fall 2009 Compared to Selected Previous Years**

	1999	2004	2008	2009	Net Change Numbers & Percentage Points		
					1-yr	5-yr	10-yr
<b>University-Wide</b>							
Tenured	1,708	1,633	1,697	1,698	1	65	(10)
Tenure-Track	395	405	405	444	39	39	49
Health Professions	308	346	416	461	45	115	153
Total	2,411	2,384	2,518	2,603	85	219	192
% Tenured	70.8%	68.5%	67.4%	65.2%	(2.2)	(3.3)	(5.6)
<b>UNL</b>							
Tenured	942	893	915	918	3	25	(24)
Tenure-Track	227	210	238	264	26	54	37
Total	1,169	1,103	1,153	1,182	29	79	13
% Tenured	80.6%	81.0%	79.4%	77.7%	(1.7)	(3.3)	(2.9)
<b>UNL (city only)</b>							
Tenured	675	651	676	682	6	31	7
Tenure-Track	182	163	193	202	9	39	20
Total	857	814	869	884	15	70	27
% Tenured	78.8%	80.0%	77.8%	77.1%	(0.7)	(2.9)	(1.7)
<b>IANR</b>							
Tenured	267	242	239	236	(3)	(6)	(31)
Tenure-Track	45	47	45	62	17	15	17
Total	312	289	284	298	14	9	(14)
% Tenured	85.6%	83.7%	84.2%	79.2%	(5.0)	(4.5)	(6.4)
<b>UNMC</b>							
Tenured	245	255	259	267	8	12	22
Tenure-Track	-	-	-	-	0	0	0
Health Professions	308	346	416	461	45	115	153
Total	553	601	675	728	53	127	175
% Tenured	44.3%	42.4%	38.4%	36.7%	(1.7)	(5.7)	(7.6)
<b>UNO</b>							
Tenured	321	299	336	335	(1)	36	14
Tenure-Track	94	124	107	108	1	(16)	14
Total	415	423	443	443	0	20	28
% Tenured	77.3%	70.7%	75.8%	75.6%	(0.2)	4.9	(1.7)
<b>UNK</b>							
Tenured	200	186	187	178	(9)	(8)	(22)
Tenure-Track	74	71	60	72	12	1	(2)
Total	274	257	247	250	3	(7)	(24)
% Tenured	73.0%	72.4%	75.7%	71.2%	(4.5)	(1.2)	(1.8)

Notes:

The Health Professions category appeared for the first time in 1989. For reporting purposes, the Health Professions are included in the percentage tenured computation.

All faculty and administrators with tenure or tenure track status are included in the report. (INCLUDES LOA Without PAY)

Tenured administrators employed at UNCA are included in the counts within the tenure department and campus in which they hold tenure. Figures include Regular and Temporary categories and excludes other categories.

TO: The Board of Regents  
Academic Affairs

MEETING DATE: January 22, 2010

SUBJECT: Programs with Tuition Variances

RECOMMENDED ACTION: Report

PREVIOUS ACTION: September 4, 2009– The Board approved the report on programs with differential tuition rates.

EXPLANATION: Following the approval of Regents Policy RP-5.7.4.10, Differential Tuition Rates, the President was granted authority to approve recommendations by which the campuses may vary the rate of tuition from that established by the Board. The purpose of such variable rates was to achieve University goals and objectives. Following each semester and summer session, the Board of Regents is provided a report of the variances granted on the Board-approved tuition rates and the impact of those actions, including any impact on access.

Attached are the programs approved by the President with students enrolled in the fall 2009 semester.

RECOMMENDED: Linda Ray Pratt  
Executive Vice President and Provost

DATE: January 21, 2010

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Omaha  
Program: Dual Enrollment  
Approved: November 2006  
Variance: Undergraduate tuition at UNO is \$170.50 per student credit hour or \$511.50 for a 3-credit hour course. Students in this program are charged \$225 per course regardless of the credit hours earned. For a 1-credit hour course, the variance is \$54.50; for a 3-credit hour course, the variance is \$286.50; for a 4-credit hour course, the variance is \$457.00; for a 5 credit-hour course, the variance is \$627.50.

Description: The Dual Enrollment Program allows academically talented students to earn college credit while still in high school. College-bound students can get a jump on their degree and maximize their time in advanced high school classes. Dual enrollment can provide enhanced curriculum opportunities that help students remain engaged in their junior and senior years of high school and help prepare for college level work. Students pay a fee of \$225 per course regardless of credit earned.

**Note: While the Dual Enrollment program at UNO is not a tuition variance approved by the President, data on the program is provided here for completeness.**

The Dual Enrollment program is a fee-based program that is completely self-supporting. Fees are broken down as follows:

1. \$86 AP exam (UNO pays cost of student's exam)
2. \$84 UNO Department supports collaboration with high school counterpart
3. \$30 Program support
4. \$20 AP support to participating districts
5. \$5 UNO Library collaborates with high school librarians

**UNO Dual Enrollment Program**

Semester	Number of Enrollments
Fall 2009	1,422
Spring 2009	1,938
Fall 2008	1,439
Spring 2008	1,702
Fall 2007	1,301

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Omaha  
 Program: Metropolitan Advantage Program  
 Approved: 2007  
 Variance: Undergraduate and graduate tuition is charged at 150% of resident tuition for eligible students.

Description: MAP offers residents of Harrison, Mills and Pottawattamie counties and/or graduates of schools within those counties who meet UNO's admission requirements the opportunity to attend UNO undergraduate and graduate programs at a tuition rate of 150% of resident cost.

As of Census Day in the fall of 2009, a total of 490 MAP students participated in the program.

2008-09 Tuition Rates	Undergraduate	Graduate
Resident	\$ 170.50	\$ 212.50
Nonresident	\$ 502.50	\$ 559.25
MAP	\$ 255.75	\$ 318.75

Student Credit Hours and Tuition Generated by MAP Students Fall, 2009						
	Undergraduate		Graduate		Total	
	SCH	Tuition	SCH	Tuition	SCH	Tuition
College of Arts & Sciences	2,569	\$657,022	35	\$11,156	2,604	\$668,178
College of Business Administration	588	\$150,381	65	\$20,719	653	\$171,100
College of Public Affairs & Community Service	240	\$61,380	117	\$37,294	357	\$98,674
College of Fine Arts & Media	545	\$139,384	25	\$7,969	570	\$147,353
College of Education	395	\$101,021	206	\$65,663	601	\$166,684
College of Information Science & Technology	150	\$38,363	15	\$4,781	165	\$43,144
University Division	4	\$1,023	-	-	4	\$1,023
Vice Chancellor's Office	13	\$3,325	-	-	13	\$43,325
<b>Total MAP Fall 2009</b>	<b>4,504</b>	<b>\$1,151,899</b>	<b>463</b>	<b>\$147,582</b>	<b>4,967</b>	<b>\$1,299,481</b>
Change Fall 2008 to Fall 2009	5.8%	10.4%	22.0%	33.4%	7.3%	12.6%
<b>Total MAP Fall 2008</b>	<b>4,242</b>	<b>\$1,043,532</b>	<b>361</b>	<b>\$110,600</b>	<b>4,603</b>	<b>\$1,154,132</b>
Change Fall 2007 to Fall 2008					195.4%	53.3%
<b>Total MAP Equivalent Fall 2007</b>					<b>1,558</b>	<b>\$753,000</b>

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska-Lincoln  
 Program: Advanced Scholars Program  
 Approved: July 2005

Variance: Undergraduate tuition at UNL is \$187 per student credit hour for Nebraska residents and \$555 per student credit hour for non residents. Nebraska students in this program are charged \$100 per student credit hour for a variance of \$87 per credit hour and non residents are charged \$187 per student credit hour for a variance of \$368.

Description: The UNL Advanced Scholars program is a partnership linking UNL with Nebraska secondary schools. Through this concurrent enrollment partnership, high schools can offer qualified high school seniors and high-ability or gifted students the opportunity to enroll in UNL online courses for college credit. A hallmark of the UNL Advanced Scholars program is that teaching of the academic online courses resides with the university faculty. The course syllabi, textbooks, kinds of assignments, and grading practices are the same as those used by the faculty for their on-campus courses. Students who register and successfully complete UNL Advanced Scholars online courses earn UNL credit, verified by an official UNL transcript.

A headcount of 100 students generated 112 course enrollments for the 2009 Fall semester.

**UNL Advanced Scholars Program**

	Resident Enrollments		Nonresident Enrollments		Student Credit Hours		Total Tuition	
	Number	% Change*	Number	% Change*	Number	% Change*	Number	% Change*
Fall 2009	110	11.1%	2	-50.0%	368	14.3%	\$37,235.00	12.0%
Spring 2009	97	18.3%	3	300.0%	297	10.0%	\$31,327.25	21.4%
Fall 2008	99	22.2%	4	400.0%	322	18.0%	\$33,236.75	19.0%
Spring 2008	82		0		270		\$25,800.00	
Fall 2007	77		0		264		\$26,925.00	

\*Change over prior year (fall to fall and spring to spring).

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campuses: All  
 Program: Online Worldwide  
 Approved: June 2009  
 Variance: Variable, depending on campus

The University of Nebraska is establishing an integrated university-wide distance education program to serve the educational needs of Nebraskans and provide access to students who may otherwise not be able to enroll in University of Nebraska programs. The financial model assumes that campuses will recover campus expenses, and that consolidating some functions will reduce campus cost, thus enhancing net revenue at the campus level and providing new resources for investment of existing programs or development of new programs. Through its branding and marketing of "Online Worldwide," the University of Nebraska will enhance its presence throughout the world and help generate new enrollments that will support the Online Worldwide initiative and produce new campus revenue.

At the June 2009 meeting, the Board of Regents repealed Regents Policy 5.7.6 which required tuition for Nebraska residents to be the same for online courses as for on-campus resident courses. This change in policy allows the University to set both in-state and out-of-state tuition rates for distance education courses through its regularly established procedures of either Board approval or Presidential approval for variances. To maximize the potential for successful development and offering of distance education courses, online tuition rates are to be based on program costs, entrepreneurial opportunities, and market factors.

	Student Credit Hours			Tuition Variance Generated		
	Resident	Nonresident	Total SCH	Resident	Nonresident	Total Tuition
<b>Undergraduate</b>						
UNK	2,595	209	2,804	\$41,520	\$22,415	\$63,935
UNL	1,395	321	1,716	\$49,342	\$55,795	\$105,137
UNO	8,464	978	9,442	\$169,956	\$121,008	\$290,964
Sub-total	12,454	1,508	13,962	\$260,818	\$199,218	\$460,036
<b>Graduate</b>						
UNK	2,617	1,859	4,476	\$29,897	\$305,289	\$335,186
UNL	1,918	1,241	3,159	\$82,147	\$287,553	\$369,700
UNO	1,413	630	2,043	\$51,368	\$150,354	\$201,722
Sub-total	5,948	3,730	9,678	\$163,412	\$743,196	\$906,608
<b>Campus Total</b>						
UNK	5,212	2,068	7,280	\$71,417	\$327,704	\$399,121
UNL	3,313	1,562	4,875	131,489	343,348	474,837
UNO	9,877	1,608	11,485	\$221,324	\$271,362	\$492,686
Total all Campuses	18,402	5,238	23,640	\$424,230	\$942,414	\$1,366,644

This report is based on student credit hours registered as of fall census date and does not take into account waivers, uncollectibles, refunds, etc. The report includes gross tuition charges for additional Online Worldwide tuition variance per credit hour assessment for resident and nonresident enrollments. UNL student credit hours and tuition variance data does not include contract programs.

Campuses: All

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Program: Yellow Ribbon Program  
Approved: June 2009

Variance: 50% of tuition that exceeds the highest undergraduate tuition in the state

The University of Nebraska offers free tuition to qualifying veterans through the Yellow Ribbon GI Education Enhancement Program. This new benefit for veterans is authorized under the Post 9-11/Veterans Educational Assistance Act of 2008. Participating institutions agree to fund a portion of tuition expenses that exceed the highest public in-state undergraduate tuition rate for qualifying veterans, which the Veterans Administration will match and then transfer to the university. Beginning Aug. 1, 2009, all four campuses of the University of Nebraska will waive 50 percent of the cost of a qualifying veteran's tuition that exceeds the highest undergraduate tuition in the state (currently \$236.75 per credit hour at UNMC College of Nursing). The program is available on a first-come, first-served basis and the veteran must meet service requirements as defined by the Veterans Administration to qualify. The waiver is available for all undergraduate students including distance education students for 2009-10 and will be expanded to include graduate students in 2010-11.

Fall 2009 Yellow Ribbon Program Recipients

	Headcount	SCH	Tuition Variance
<b>UNL*</b>	20	287	\$45,491
<b>UNO</b>	10	120	\$16,300
<b>UNK</b>	0	0	\$0
<b>UNMC</b>	0	0	\$0
<b>NU Total</b>	30	407	\$61,791

\*Seven students included in UNL's count are awaiting eligibility confirmation from the VA



**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Kearney  
Program: Non-resident Tuition Reduction for students from Chung-Ang University of Seoul  
Approved: March 17, 2007

Description: The University of Nebraska at Kearney is interested in developing student and faculty exchange opportunities. Chung-Ang University and UNK have developed a student exchange program that will allow students to study at UNK and a small number of UNK students to study in Korea each year. Recognizing that there is a huge number of potential international students interested in study in the United States, that institutions throughout the nation as well as in most western nations are competing to attract highly qualified international students, and that for many international students, cost is a very real factor challenging their ability to study in the United States, UNK proposed to reduce tuition charged to qualified students recruited to UNK by Chung-Ang University of Seoul, Korea. This differential tuition proposal to charge 150% of UNK resident tuition to these students was approved by President Milliken in March 2006. A total of 12 students from Chung-Ang University attended UNK in Fall semester, 2009.

Enrollment and Tuition:

Chung-Ang University Students at UNK

Semester	Course Enrollments	Student Enrollments	Credit Hours	Tuition Dollars
Fall 2009	62	12	169.00	\$38,342.72
Spring 2009	81	15	191.00	\$41,067.33
Fall 2008	64	15	155.00	\$33,173.98
Spring 2008	36	10	86.00	\$17,551.27
Fall 2007	16	5	35.00	\$6,896.98

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Kearney  
Program: Non-resident Tuition Reduction for students Recruited by Markham International Education Center of Beijing, China.  
Approved: March 17, 2006

Description: The University of Nebraska at Kearney is interested in developing student and faculty exchange opportunities to. In the Fall 2005, Markham International Education Center (MIEC) of Beijing and UNK developed an agreement that would bring students to study at UNK provided UNK could offer a tuition reduction plan. Therefore, recognizing that there is a huge number of potential international students interested in study in the United States, that institutions throughout the nation as well as in most western nations are competing to attract highly qualified international students, and that for many international students, cost is a very real factor challenging their ability to study in the United States, UNK proposed to reduce tuition charged to qualified students recruited to the University of Nebraska at Kearney by MIEC. This differential tuition proposal to charge 150% of UNK resident tuition to these students was approved by President Milliken in March 2006. A total of 39 students from the MIEC program attended UNK in the Fall semester 2009.

Enrollment and Tuition:

MIEC Students at UNK

Semester	Course Enrollments	Student Enrollments	Credit Hours	Tuition Dollars
Fall 2009	153	39	405.00	\$91,886.40
Spring 2009	135	35	367.00	\$78,315.35
Fall 2008	126	37	328.00	\$71,367.75
Spring 2008	101	32	262.00	\$53,631.74
Fall 2007	65	22	175.00	\$36,029.00

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Kearney  
Program: Non-resident Tuition Reduction for students recruited by the Bahamian Alumni Association  
Approved: August 22, 2006

Description: The University of Nebraska at Kearney is interested in developing student and faculty exchange opportunities. Based on former large population of students from the Bahamas at UNK at one time reaching 60 students, UNK developed a Bahamian Alumni Association as a means to recruit new students from the Bahamas. In the Fall 2006, after the formation of the Bahamian Alumni Association (BAA), the BAA and UNK developed an agreement that would bring students from the Bahamas to study at UNK provided UNK could offer a tuition reduction plan. Therefore, recognizing that there is a large number of potential international students interested in study in the United States, that institutions throughout the nation as well as in most western nations are competing to attract highly qualified international students, and that for many international students, cost is a very real factor challenging their ability to study in the United States, UNK proposed to reduce tuition charged to Bahamian students recruited to the University of Nebraska at Kearney by the BAA. This differential tuition proposal to charge 150% of UNK resident tuition to these students was approved by President Milliken in August 2006. In the Fall of 2009, 7 students recruited by the BAA studied at UNK.

Enrollment and Tuition:

Students from the Bahamas at UNK

Semester	Course Enrollments	Student Enrollments	Credit Hours	Tuition Dollars
Fall 2009	37	7	95.00	\$21,553.60
Spring 2009	30	5	76.00	\$16,368.74
Fall 2008	26	5	72.00	\$15,029.25
Spring 2008	27	4	65.00	\$13,382.20
Fall 2007	21	4	57.00	\$11,735.16

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Kearney  
 Program: Non-resident Tuition Reduction for students recruited by Shandong University at Weihai, Weihai, China  
 Approved: August 22, 2006

Description: The University of Nebraska at Kearney is interested in developing student and faculty exchange opportunities. UNK and Shandong University at Weihai (SDUW) both participate in the 1+2+1 program. After visiting SDUW it became apparent that UNK and SDUW had many things in common and that SDUW could become a good partner for UNK. In Fall 2006, after long discussions with the administration of SDUW, SDUW and UNK developed an agreement that would bring SDUW students to study at UNK provided UNK could offer a tuition reduction plan. Therefore, recognizing that there is a large number of potential international students interested in study in the United States, that institutions throughout the nation as well as in most western nations are competing to attract highly qualified international students, and that for many international students, cost is a very real factor challenging their ability to study in the United States, UNK proposed to reduce tuition charged to qualified students recruited to the University of Nebraska at Kearney by SDUW. This differential tuition proposal to charge 150% of UNK resident tuition to these students was approved by President Milliken in August 2006. Two visiting scholars from SDUW participated in programs at UNK. One Visiting Scholar did research in the English Department and the other Visiting Scholar was working with the faculty of the Department of Computer Science. In the Fall 2009 UNK has 6 students from SDUW.

Enrollment and Tuition:

Shandong University at Weihai Students at UNK

Semester	Course Enrollments	Student Enrollments	Credit Hours	Tuition Dollars
Fall 2009	25	6	75.00	\$17,994.66
Spring 2009	63	13	175.00	\$38,946.45
Fall 2008	56	14	154.00	\$34,382.38
Spring 2008	22	6	52.00	\$11,291.03
Fall 2007	19	6	48.00	\$10,001.40

**Regents Policy 5.7.4 Programs with Tuition Variances  
Fall 2009**

Campus: University of Nebraska at Kearney  
 Program: Non-resident Tuition Reduction for students recruited by the National Collegiate Network,  
 Tokyo, Japan  
 Approved: August 22, 2006

Description: The University of Nebraska at Kearney is interested in developing student and faculty exchange opportunities. The National Collegiate Network and UNK signed a letter of agreement in the Spring of 2000 that brings students from Japan to UNK for their college career. This resulted in a major influx of students to UNK, and it has been of extraordinary significance to the diversity on this campus. The first 64 students arrived on the UNK campus in May 2001. Each summer since that date, a similar number arrived on campus. Thirty-five new students arrived in the summer of 2008 instead of the usual 60 students. Because of the downward trend caused by competition from other universities both in Japan and in the U.S. and because of the decrease in the number of students graduating from Japanese High Schools, UNK asked Central Administration to approve the reduction for students from NCN. NCN is still facing a downward movement in applications and this program will make us competitive for not only new students but for transfer students as well. 173 NCN students enrolled for classes in Fall 2009.

Enrollment and Tuition:

National Collegiate Network Students at UNK

Semester	Course Enrollments	Student Enrollments	Credit Hours	Tuition Dollars
Fall 2009	887	173	2343.00	\$531,579.84
Spring 2009	369	73	934.00	\$202,645.05
Fall 2008	292	78	738.00	\$159,704.38
Spring 2008	181	--	446.00	\$89,763.67
Fall 2007	112	42	256.00	\$52,705.28

TO: The Board of Regents Addendum X-D-3  
Academic Affairs

MEETING DATE: January 2010

SUBJECT: Expedited Approval of the University of Nebraska at Omaha (UNO) Graduate Certificate in Business for Bioscientists within the graduate program of Business Administration.

RECOMMENDED ACTION: Report

PREVIOUS ACTION: July 15, 2000 – The Board of Regents delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate degrees. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

EXPLANATION: President Milliken has approved the establishment of graduate certificate in Business for Bioscientists within the graduate program of Business Administration. The proposed certificate had earlier received the approval of the UNO Graduate Council and the Council of Academic Officers. Notification of the approval of this graduate certificate will be provided to the Nebraska Coordinating Commission for Postsecondary Education (NCCPE).

Over the past 30 years, the largest area of job growth for Biomedical PhD's has been in the private sector with positions in biotechnology, pharmaceuticals, and other industries. Many of these jobs have business elements. However, the traditional training of a Biomedical PhD focuses on research and has no business training. This certificate program will provide a basic understanding of business principles to biomedical PhD students. While UNMC PhD students receive extensive training in research methods and the principles of biology and medicine, they receive no formal training in business fundamentals. However, a significant portion of biomedical PhD students obtain employment in pharmaceutical, biotechnology, and other industries. For students with these career goals, a formal training in business would markedly enhance their career options and competitiveness for these industry positions. With a certificate program, it will be possible for students to obtain a basic understanding of business principles that is documented by a certificate program. It is anticipated that this certificate would make their application for a variety of job positions more competitive and make them more successful in performing their job.

PROJECT COST: None

SOURCE OF FUNDS: None

SPONSORS: John Christensen, Chancellor  
University of Nebraska at Omaha

Linda Ray Pratt  
Executive Vice President and Provost

APPROVED: James B. Milliken  
President

DATE: December 21, 2009

TO: The Board of Regents Addendum X-D-4

Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: Report of Bids and Contracts

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: The attached report is a summary of bids and contracts as provided by the campuses pursuant to Section 6.4 of the *Bylaws of the Board of Regents of the University of Nebraska* for the period ended March 31, 2009.

The report outlines the following: type of action; campus; description and use of the product, service, or project; funding source; approved budget amount; contract amount; contractor or vendor; and a bid review or bid explanation if the low responsible bid was not accepted.

SPONSOR: David E. Lechner  
Vice President for Business and Finance

DATE: December 21, 2009





Government and Utility Easements, University as Grantor	UNK	Access Easement	N/A	N/A	0	NPPD	Easement for ingress and egress on, over and upon UNK Spillway property to allow access to its Hydro facilities and substation.
Government and Utility Easements, University as Grantor	UNK	Easement for Electric Duct Banks	N/A	N/A	\$0	NPPD	Permanent & perpetual right, privilege, and easement to survey, construct, operate, maintain, inspect, repair, remove, alter, relocate NPPD's electric duct banks over, under, upon and across UNK property

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\*Approved budget amount for construction contracts represents the entirety of the project budget, whereas the contract amount is the amount pertaining to the particular activity within the construction contract.

TO: The Board of Regents  
Business Affairs

MEETING DATE: January 22, 2010

SUBJECT: 1) Change to Board of Regents Policy 3.2.8, Conflict of Interest: Campus Conflict of Interest Policies; 2) Code of Conduct for University of Nebraska Student Financial Aid Workers

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: At the Board meeting of January 22, 2010, the Board of Regents considered approval of a new University-wide conflict of Interest policy by adopting substantial revisions to Regents Policy 3.2.8. For completeness, this report includes the present campus policies on Conflict of Interest.


Pursuant to Paragraph 3 of Regents Policy 3.2.8, the President is now required to approve campus Conflict of Interest policies. Consequently, the President will now invite each campus to review their conflict of interest policies in light of the revisions to Regents Policy 3.2.8. Any amendments to campus policies will be made with the review and input of the General Counsel. In the event of any conflict between campus policies and Regents Policies or Bylaws, the Regents Policies or Bylaws shall control.

As a reminder, paragraph 1 of Regents Policy 3.2.8 requires each campus to prepare and submit a “level of activity” report to the Board on an annual basis.

Also attached is a copy of a new *Code of Conduct for University of Nebraska Student Financial Aid Workers*, which the President has approved for distribution. The University is required by federal regulation to inform its student financial aid employees of the code on an annual basis, and each campus must also publish the Code in a prominent fashion on their websites.

RECOMMENDED: Joel Pedersen  
General Counsel

DATE: January 20, 2010



**UNIVERSITY OF NEBRASKA KEARNEY**  
Office of Sponsored Programs

### Internal Forms

All proposals for external funding must receive internal approval before submission. This approval is obtained by completing the internal approval form and routing it with a copy of your proposal. The principal investigator should sign, and get signatures from their chair and dean. Then send it to OSP five days before it must be mailed. We will obtain the remaining three signatures, and copy and mail the proposal.

The Internal Approval Form is available in [Microsoft Word](#) and [Adobe .pdf](#).

UNK personnel must disclose potential conflicts of interest when they propose financial relationships involving more than \$5000 with external organizations. This is done by completing a Disclosure of Interest form once a year (if there are no interests to disclose) or with each proposal (if there are interests that need to be disclosed).

The Disclosure of Interest Form is available in [Microsoft Word](#) and [Adobe .pdf](#).



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**CONFIDENTIAL**  
**UNIVERSITY OF NEBRASKA DISCLOSURE OF INTEREST**

Must be completed for all new, renewal, or continuation proposals in excess of \$5,000 submitted to agencies or sponsors **OR** to disclose financial or commercial interest with potential for conflict of interest.

1. Sponsor or Agency Annual disclosure to describe potential conflicts with Federal, State, and non-profit entities
2. Title of Project N/A
3. Investigator \_\_\_\_\_

Indicate by circling the appropriate response below whether any of the following situations apply to the declaration. If yes is circled, complete the information requested. If further explanation is necessary use separate sheets.

4. a. Consulting arrangement. If yes, describe. \_\_\_\_\_ Yes  No
- b. Financial remuneration: Amount \$ \_\_\_\_\_ Period \_\_\_\_\_ Yes  No
- c. Personal loans from sponsor or sponsor employees: Amount \$ \_\_\_\_\_ Yes  No
- d. Other rewards (honorarium, gift or in kind contribution etc.) If yes, describe. \_\_\_\_\_ Yes  No   
 \_\_\_\_\_ Amount \$ \_\_\_\_\_
- e. Other relationship to sponsor or agency such as being on the Board of Directors or Scientific Advisory Board. If yes, describe relationship. \_\_\_\_\_ Yes  No
5. Does any financial benefit accrue directly or indirectly to your immediate family\* from the sponsor or agency as a result of this agreement. If yes, describe. \_\_\_\_\_ Yes  No
6. Do you or will you separately or along with your immediate family\* in aggregate own 5% or more, or \$2,000 or more of equity in the sponsor's company or be a partner or hold other forms of ownership interest in any business affiliated with the sponsor of this project? (Include any similar relationships with a competitor of the sponsor). If yes, describe. \_\_\_\_\_ Yes  No   
 \_\_\_\_\_ Amount \$ \_\_\_\_\_
7. Will the sponsor or agency hold any rights to research and/or inventions for discoveries associated with this project? If yes, describe. \_\_\_\_\_ Yes  No
8. Is the sponsor or agency imposing restrictions on the dissemination of research results? Yes  No

The information provided on this form is correct to the best of my knowledge. I agree to submit a supplementary disclosure statement at the time that further financial or commercial interests develop or if changes occur.

Signature of Investigator \_\_\_\_\_ Date \_\_\_\_\_

Acknowledged and Approved:  
 Signature of Department or Division Chair \_\_\_\_\_ Date \_\_\_\_\_

Signature of Dean(s) or Director(s) \_\_\_\_\_ Date \_\_\_\_\_

Approved: (If Investigator indicated yes to any item above, the appropriate administrator must approve by signing below.)  
 Signature of Vice Chancellor, Chancellor, Provost or President \_\_\_\_\_ Date \_\_\_\_\_

\*Immediate family member is defined as a spouse of an individual, a natural or adopted child of an individual, a parent of an individual or his or her spouse, or a person claimed by an individual or his or her spouse as a dependent for federal income tax purposes.

# UNK UNIVERSITY OF NEBRASKA KEARNEY

## Affirmative Action / Equal Opportunity

### Conflict of Interest

"No employee of the University shall engage in any activity that in any way conflicts with duties and responsibilities at the University of Nebraska nor shall any employee hire or supervise a member of his or her immediate family without expressed written consent of the Board." Bylaws of the Board of Regents of the University of Nebraska, June 1992. (3.8)

To comply with this Board of Regent Bylaw, immediate family shall mean wife, husband, children, parents, grandparents, grandmothers, brothers, sisters, daughters-in-law, sons-in-law, guardians, wards, stepfathers, stepmothers, stepdaughters, stepsons, or persons with the same relationship to the spouse. The Bylaw applies to all full-time, part-time, regular, and temporary employees.

A conflict of interest exists if an employee exercises control over another employee who is supervising his/her family member, (a director of a department should not be hired by a manager of that department since the manager's employment decisions are controlled by the director.)

In 1986, the Nebraska State Legislature passed LB548 which requires that public employees and officials employing, recommending employment of, or supervising the employment of an immediate family member must disclose the fact. For the purposes of this bylaw, immediate family is defined as "a child residing in the individual's household, a spouse of the individual, or an individual claiming to be an official or employee or his or her spouse as a dependent for federal income tax purposes." The Nebraska Accountability and Disclosure Commission has developed NADC form C-4 for the disclosure statement.



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# UNIVERSITY OF NEBRASKA KEARNEY

## Human Resources

### Outside Employment

**Conflict of Interest.** No employee of the University may engage in any activity which in any way conflicts with his/her duties and responsibilities at the University of Nebraska. No employee may hire or supervise a member of his/her immediate family without expressed written consent of the Board of Regents.

**Outside Employment and Professional Activities.** Pursuant to Section 3.4.5 of the Bylaws of the Board of Regents, full-time professional employees may engage in professional activities outside the University as a means of broadening their experience abreast of the latest developments in their specialized fields, provided these activities do not interfere with their regular duties at the University or represent a conflict of interest. Employees may not accept employment outside of the University unless the following are met:

1. There is no interference with the performance of duties at the University.
2. There is no conflict of interest or appearance of conflict of interest as a result of the outside employment.
3. The employee obtains approval of the outside employment if required by Section 3.4.5 of the Bylaws of the Board of Regents; full-time professional employees require full-time professional employees to secure approval of the appropriate administrative officers and the President and, under certain conditions, the approval of the Board of Regents prior to engaging in said activities.

Approval of the Board of Regents is required before full-time professional employees may:

- (A) Accept retainer fees or other remuneration on a permanent or yearly basis as professional consultants.
- (B) Accept professional employment requiring more than an average of two days per month during the period of their full-time employment at the University.
- (C) Charge fees for work performed in University buildings with University equipment and materials.
- (D) Provide professional services for remuneration to departments or agencies of state government.

An application form for permission to engage in outside employment should be completed prior to accepting any such activity. Forms are available from the campus Human Resource Office.



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## CONFLICT OF INTEREST

University policy states that no employee of the University shall engage in any activity which conflicts in any way with his/her University duties and responsibilities.

### Outside Employment

A full-time employee who accepts employment elsewhere in addition to his/her regular duties must be sure that:

- a) There is no interference with the performance of duties at the University.
- b) There is no conflict of interest as a result of the additional employment. The employee should discuss outside employment in advance with his/her supervisor if the potential exists for a conflict of interest.
- c) No resources of the University will be utilized for purposes of his/her additional employment.

### Nepotism

No employee may hire or supervise a member of his/her immediate family without the expressed, written consent of the Board of Regents. For the purposes of this policy, immediate family is defined as the wife, husband, children, parents, grandparents, grandchildren, brothers, sisters, daughters-in-law, sons-in-law, guardians, wards, stepfathers, stepmothers, stepdaughters, stepsons, uncles, aunts, cousins or persons bearing the same relationship to the employee's spouse.

In 1986, the Nebraska State Legislature passed LB548, which requires that public employees and officials employing, recommending the employment of, or supervising the employment of an immediate family member must disclose the fact. For the purposes of this legislation, immediate family is defined as "a child residing in the individual's household, a spouse of the individual, or an individual claimed by the public official or employee or his or her spouse as a dependent for federal income tax purposes." The Nebraska Accountability and Disclosure Commission developed NADC form C-4 for the disclosure statement. Employees may request a blank form from the Human Resources Office. The Human Resources Office will be responsible for filing the completed forms with the office of the Corporation Secretary at Varner Hall in Lincoln.

### Political Activities

University employees enjoy the full rights of citizens to participate in the political life of Nebraska and the United States. Such activities, however, must not interfere with the staff member's University duties. Accordingly, a University employee who contemplates filing as a candidate for a part-time public office or accepting appointment to such office will notify his/her supervisor and the Chancellor in writing. The Chancellor shall determine the extent to which such political activities will interfere with the employee's duties and his/her compensation will be adjusted accordingly.

A member of the staff seeking full-time public office is required to take a leave of absence without pay during the period of time he/she will be a candidate in either the primary or general election (or both). If an employee is elected or appointed to a full-time public office, he/she must resign from the University, effective on the date he/she assumes office. Prospective candidates should consult Section 3.9 of the Regents' Bylaws for additional details on these matters.

Like all citizens, members of the UNO staff are free to speak out on public issues or other matters of concern; however, employees should refrain from speaking out on these issues during their work hours. During non-working hours, employees may make use of the public forum to express their views on particular issues. Generally, for these purposes it is assumed that University park areas, streets, and sidewalks are public forums. Employees must avoid implying that they are official spokespersons for the University except when authorized to act in such capacity.

### Stationery

The use of University letterhead stationery for personal business is unauthorized. Such use inescapably conveys the impression the University is involved in these matters.

### Use of University Property

At times it is necessary to take University property off campus for professional use. Written permission to use the property should be obtained from the University official responsible for it. The authorization should accompany the item and a copy should remain in the granting official's files.

UNIVERSITY OF NEBRASKA

APPLICATION FOR AUTHORIZATION TO ENGAGE IN OUTSIDE PROFESSIONAL ACTIVITY

Date \_\_\_\_\_ Department \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Date(s) of Activity \_\_\_\_\_

Nature of Activity (please describe the general nature of the outside activity proposed, i.e., consulting, research, teaching, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In order to engage in outside professional activity, the Board of Regents requires that you answer the following questions. These are to protect you and the University. They will permit you to obtain the proper approvals so you will not be in violation of your obligations to the University. They will also provide a check list to assure that you and the University are in compliance with those regulations that govern the University, particularly if your activity could be categorized as research.

PART I: CONDITIONS REQUIRING BOARD OF REGENTS APPROVAL

1. Will you be retained to provide professional services outside the University to an individual person, client, company, firm or governmental agency over a time period lasting more than two years? Yes \_\_\_\_\_ No \_\_\_\_\_

**If your answer is “yes” you will require approval of the Board of Regents before engaging in this activity.**

2. Will this outside professional activity, combined with all other professional activity which has been approved, prevent you from performing your regular duties at the University by totaling more than an average of two days per month?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**If your answer is “yes” you will require approval of the Board of Regents before engaging**

Revised 12-19-05



**in this activity unless, with the approval of your Dean, you either (1) reduce your FTE (and accordingly your University salary and fringe benefits) to reflect the time reduction in your regular duties or you arrange to have the company or institution reimburse the University directly for the salary and fringe associated with the time reduction in your regular duties.**

In lieu of seeking Board of Regents approval I intend to \_\_\_ reduce my FTE by \_\_\_% or \_\_\_ arrange for reimbursement to the University for \_\_\_% of my salary and fringe benefits.

**PART II: CONDITIONS REQUIRING DEANS APPROVAL**

1. Is your outside activity going to be performed off the premises of the University and without the use of University equipment or materials? Incidental use of the office space, phone, or desktop computers supplied to you by the University as part of your normal functions as a faculty member is not regarded as the use of University premises or equipment. University premises do not include land or buildings leased by the University to private companies exclusively for their use, such as in a technology park.  
Yes \_\_\_\_\_ No \_\_\_\_\_.

**If your answer is “Yes”, you do not need to complete the remainder of this form but you must obtain the approval of your Dean before engaging in the outside activity. If your answer is “No” you must complete the rest of the form.**

2. To what extent will the University be reimbursed for any costs borne by the University associated with your use of University premises, equipment, or materials?

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3. If you perform work for an outside contractor while on the University’s premises or through the use of University equipment and materials, you remain subject to the same regulations that would apply were you doing similar work as part of your University responsibilities. Particularly, if your work were characterized as “research”, the full range of federal research compliance mechanisms is applicable. Please review the following list of potential issues and inform your Dean if any might be applicable.
- A. The activity is likely to result in a discovery, writing or software that is subject to the Board of Regents policy on intellectual property.
  - B. The activity involves experimentation with or on human subjects or involves surveys of human subjects.
  - C. The activity involves the use of animals.
  - D. The activity may involve students, faculty, or third persons who are foreign nationals. (Federal regulations relating to national security prohibit foreign

Revised 12-19-05

nationals from certain countries to have access to various technologies including computer technology.)

- E. The activity involves the use of hazardous chemicals, radioisotopes, biological agents, or recombinant DNA.
- F. I am currently working on a separate federally funded research project that requires "effort reporting" through Personal Activity Reporting system.
- G. The activity involves my use on behalf of another of intellectual property owned by me, by the university, or by a third person other than the party for whom I propose to provide services.
- H. The activity involves the use of information classified by the government as secret, top secret, or any other classification that would obligate you or the University to keep it in confidence.
- I. The activity requires that I sign a confidentiality agreement that would prevent me from publishing information about the activity.

I have read the above listed items A through I.

\_\_\_\_\_ None are applicable to my proposed outside activity.

\_\_\_\_\_ One or more may be applicable. (Please circle applicable issues).

**If you have difficulty or do not understand any of the items listed above, please consult your Dean or office responsible for federal regulatory compliance. If one or more of these items may be applicable to your proposed activity, your Dean is required to consult with the regulatory compliance officer of your campus before granting approval for you to proceed.**

Approval Requested: \_\_\_\_\_ (Applicant) Date: \_\_\_\_\_

Approval Recommended: \_\_\_\_\_ (Head of Department) Date: \_\_\_\_\_

Approval Recommended (Granted): \_\_\_\_\_ (Dean) Date: \_\_\_\_\_

Approval by the Board of Regents Required: Yes \_\_\_\_\_ No \_\_\_\_\_

For the Chancellor \_\_\_\_\_ Date: \_\_\_\_\_

For the Board of Regents \_\_\_\_\_ Date: \_\_\_\_\_

Revised 12-19-05



POLICY NO: **8010**  
 EFFECTIVE DATE: **09/04/07**  
 REVISED DATE: **09/04/07**  
 REVIEWED DATE: **07/24/07**

## Conflict of Interest Policy

### Basis for Policy

Statutes, regulations and University policies covering activities that may result in conflict of interest are:

- Public Health Service, National Science Foundation and Food and Drug Administration regulations
- Nebraska Conflict of Interest Statutes at *Neb. Rev. Stat. §49-1493 et. seq*
- Bylaws of the Board of Regents of the University of Nebraska Sections 3.45 and 3.8
- Board of Regents Conflict of Interest Policy, RP-3.2.8;

### Policy

Potential conflicts of interest arise in a variety of circumstances in the academic health sciences center setting when an individual's private financial interests either conflict with or create the appearance of conflicting with UNMC's public interests.

UNMC shall identify, manage and if necessary, reduce potential conflicts of interest to maintain the public's trust in UNMC's teaching, research, patient care and service mission. While disclosure of potential conflicts of interest is necessary, most conflicts can be managed without eliminating the arrangement that gives rise to the conflict.

Business Conflict of Interest Procedures /

Research Conflict of Interest Procedures /

Continuing Education Conflict of Interest Procedures /

Outside Employment Policy, #1049 /

Application for Authorization to Engage in Outside Professional Activity /

SBIR/STTR Program Participation Guidelines, #3002 /

*Human Research Protection Program Policy 1.10, Identification and Management of Potential Conflict of Interest of Research Personnel (under construction)*

For additional information, contact the Vice Chancellor for Business and Finance or the Compliance Officer or see the procedures.

*This page maintained by dkp.*



## Business Conflict of Interest Procedures

### Definitions

*Conflict of Interest* refers to situations when the employee's personal financial interests or fiduciary duties owed to third parties, such as immediate family, may compromise, or have the appearance of compromising, the employee's professional judgment or behavior in carrying out his or her obligations to the University of Nebraska Medical Center.

*Immediate family* shall mean wife, husband, children, grandchildren, parents, grandparents, brother, sister, daughter-in-law, son-in-law, guardian, ward, stepfather, stepmother, stepchildren, or persons bearing the same relationship to the spouse of the employee.

*Covered person* refers to faculty, staff, volunteers, trainees, students, independent contractors and other persons whose conduct, in the performance of work for UNMC, is under the direct control of UNMC, whether or not they are paid by UNMC.

### Examples of Conflicts of Interest

#### 1. Seeking/Accepting Gifts

No covered person will seek or accept anything of value given which could influence him or her in the discharge of official duties. For example, acceptance of a valuable gift or service from an organization with which the University is, has or will be negotiating an agreement or conducting business, would be a conflict of interest. Gift does not include a breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption.

UNMC does not permit covered persons to solicit UNMC vendors, other UNMC employees or UNMC departments for contribution or purchase of prizes, favors, awards, drawings, or anything of value. The annual United Way fund drive is exempted from this policy. Prior written approval of any other exemption to this policy may be granted in exceptional circumstances by the Vice Chancellor for Business and Finance or his/her designee.

#### 2. Improper Use of Office or Position

No covered person will knowingly use an official position to obtain special privileges or advantages from individuals or businesses except as specifically provided by the Board of Regents policy. Examples include but are not limited to the following:

- A. Attempting to influence, directly or indirectly, the relationship between the University and an organization in which the individual has interest.
- B. Disclosure of confidential information concerning university-owned technology to an organization for personal profit and advantage (possibly in violation of confidentiality obligations to research sponsors or licensees).

#### 3. Commercial Transactions

No covered person may sell, or cause to be sold, either as an individual or through any business enterprise in which that individual holds a substantial financial interest, any goods or services unless approved by the Vice Chancellor for Business and Finance or appointed

designee.

For example, a Covered Person may not purchase services or equipment from an organization in which the Covered Person has a financial interest, has a consulting or other arrangement providing income to the Covered Person and/or on whose board the Covered Person serves.

#### 4. Purchasing of Goods or Services from Immediate Family Members

No Covered Person may purchase, or cause to be purchased, on behalf of the UNMC any good or services directly or indirectly from an immediate family member under Board of Regents policy 6.2.1 Sec.11. Any such purchase would be considered a conflict of interest.

Immediate family members of a Covered Person are not barred from such sales of goods or services; such conflicts can be managed when the authorized decision maker to purchase such goods or services is an employee with no conflict of interest in the purchase and not subordinate to the employee with the conflict of interest.

#### 5. Service on External Non-profit, Governmental or For-profit Governance Boards

A covered person may serve on external non-profit, governmental or for-profit governance boards, however if such service in any way could create an actual or perceived conflict of interest, the services must be declared and managed by the employee's supervisor.

#### 6. Outside Employment or Compensation

No covered person may receive or solicit outside employment, including paid service on a governance board, or compensation that would impair the independence of judgment of the individual in performing duties as an employee of UNMC. Refer to UNMC Policy No. 1049, Outside Employment.

### **Reporting Potential Conflict of Interest**

A covered person who proposes to engage in an activity that would create a situation defined as a COI shall complete a Disclosure of Potential Conflict of Interest Form and submit it to his or her superior and the Assistant Vice Chancellor for Business and Finance.

### **Management of Potential or Actual Conflict of Interest**

The following is a list of possible management strategies to manage the potential or actual conflict of interest:

1. No action beyond disclosure of the COI.
2. Sever the relationship between the covered person and the organization that causes the conflict.
3. The supervisor can be the decision maker or delegate the decision for the purchase of goods or services, instead of the covered person, in order to eliminate any conflict.

Questions regarding this policy should be directed to the Vice Chancellor for Business and Finance or his or her designee.

[Conflict of Interest Policy / Appendix 1 - Disclosure of Potential Business Conflict of Interest](#)  
[Research Conflict of Interest Procedures /](#)  
[Outside Employment Policy](#)  
[Application for Permission to Engage in Professional Activity Outside the University /](#)  
[Disclosure of Potential Conflict of Interest Form](#)

*This page updated on Tuesday, June 19 , 2007, by dkp.*

**UNIVERSITY OF NEBRASKA MEDICAL CENTER  
DISCLOSURE OF POTENTIAL BUSINESS CONFLICT OF INTEREST**

1. Name:

Title:

Department/Unit:

Zip:

UNMC Phone:

E-Mail Address:

2. Describe **in detail** the nature of the potential business conflict of interest:

**The information provided on this form is correct to the best of my knowledge.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**



Review by Policy Owner: November 15, 2007

## Research Conflict of Interest Procedures

**Introduction.** Potential research conflicts of interest arise in a variety of circumstances in the academic medical center setting. Examples include but are not limited to the following:

- I.
  - A. Receipt of significant consulting fees, honoraria, speakers' bureaus fees and other payment or remuneration from commercial sponsors of research;
  - B. Payments related to recruiting or enrolling research subjects;
  - C. Financial interests in commercial sponsors of research;
  - D. Royalty interests resulting from publications, products or technology;
  - E. Philanthropic support from commercial sponsors of research;
  - F. Serving as a director of a company that sponsors research;
  - G. Employing research subcontractors in which a Covered Person or an immediate member of his/her family has a substantial financial interest.

### II. Definitions

**Covered Persons** means all individuals engaged in research for or on behalf of UNMC. Any financial interest accruing to the immediate family, including parent(s), or spouse of a parent, spouse, dependent child of a Covered Person, or anyone that a Covered Person may claim as a dependent under the Internal Revenue Code; or any financial interest accruing to a business or other entity in which the Covered Person or his/her immediate family member owns a controlling interest, will be treated as a financial interest of the Covered Person.

**Responsible Person** means the principal investigator and any other person who, in the principal investigator's professional judgment, is responsible for the design, conduct or reporting of the research, whether or not salary is requested. The term "Responsible Person" may include research coordinators and technicians.

**Conflict of Interest (COI)** refers to situations when the Covered Person's personal financial interests or fiduciary duties owed to third parties may compromise, or have the appearance of compromising, a Covered Person's professional judgment or behavior in carrying out his or her research obligations.

**Significant Financial Interest** means anything of monetary value that exceeds \$10,000 received in the past twelve months, or anticipated to be received in the next twelve months, from sources that might reasonably appear to be affected by the Covered Person's research activities. For equity holdings the limit is \$2,000 (See D below). Significant financial interests include but are not limited to:

- A. Salary, royalties, or a commitment for future royalties or other remuneration received outside of the University of Nebraska system, UNMC Physicians or University Dental Associates (UDA);
- B. Other income or payments for services (e.g. consulting fees, speakers bureaus or honoraria) **except** for
  1. income from seminars, lectures or teaching engagements sponsored by public or nonprofit entities; and
  2. income from service on advisory committees or review panels for public or nonprofit entities;
- C. Intellectual property rights (e.g. patents, copyrights and royalties from such rights);
- D. Equity interests (e.g. stocks, stock options or other ownership interests, both direct and indirect, i.e. trusts, etc.) that when aggregated for the Covered Person and the Covered Person's spouse, parent, spouse of parent, and dependent children, exceeds \$2,000 in value as determined through reference to public prices or other reasonable measures of fair market value, or represents more



than five percent ownership interest in a single entity. Equity interests in mutual funds are not included.

**Institutional Conflict of Interest** (“**Institutional COI**”) may occur when UNMC, any of its senior management (chancellor, deans, associate deans, vice-chancellors, assistant and associate vice chancellors, Center and Institute directors, department/division chairs, and College of Medicine Section Chiefs) or a department, school, or other sub-unit, has an external relationship with or financial interest in a company that itself has a financial interest in the University, including a teaching, research or service project. Senior managers may also have conflicts when they serve on the board of (or otherwise have an official relationship with) organizations that have commercial transactions with UNMC.

An example of a potential Institutional COI is a proposed research project funded in whole or in part by an entity in which UNMC, an affiliated corporation, or other entity created to promote and facilitate technology transfer at UNMC (i.e., UNeMed), owns an equity interest or a future right to own an equity interest, the fair market value of which is greater than \$2,000 or represents more than five percent ownership interest.

The following activity **would not** normally be considered an Institutional COI: an equity, royalty or other interest held in a University of Nebraska endowment or similar account, which is segregated from the decision making processes of research activities. For example, a stock interest held in an account managed by a University of Nebraska Office of Business and Finance would not trigger a reporting requirement.

### III. Conflict of Interest Officer/Conflict of Interest Committee

The Vice Chancellor of Academic Affairs shall appoint a Conflict of Interest Officer (“COI Officer”) who shall be responsible for and is authorized to oversee and monitor implementation and compliance with these Procedures. The COI Officer shall also be responsible to provide guidance and interpretation to Covered Persons seeking to comply with these Procedures, and to carry out the duties associated with reporting conflicts of interest.

The Vice Chancellor for Academic Affairs shall appoint a Conflict of Interest Committee (“COI Committee”) comprised of faculty, research staff, academic administrators, business operations personnel, at least one member of the Institutional Review Board (“IRB”) and at least one community member to fulfill the duties outlined in these Procedures. The COI Committee shall be a standing committee that operates in accordance with the guidelines at Appendix A, and shall be chaired by the COI Officer.

### IV. Reporting Potential Conflicts

#### A. Conflicts of Interest

1. **Initial disclosure.** All faculty members, directors, administrators and department heads (or equivalents) shall complete a UNMC Disclosure of Potential Conflict of Interest Form (Appendix B) within 90 days of initial appointment/hire. The unit Personnel Action Form (PAF) coordinators are responsible for ensuring forms are completed in a timely manner. *(Paragraph under construction; will be implemented at later date)*
2. **New potential conflicts.** Covered Persons who propose to engage in an activity that would create a situation defined as a COI shall complete a Disclosure of Potential Conflict of Interest form (Appendix B) and submit it to the COI Officer.
3. **Grant Applications and Sponsored Programs Agreements.** Covered Persons who are principal investigators on grant applications or who submit a sponsored program agreement shall submit a current UNMC Disclosure of Potential Conflict of Interest Form(Appendix B) to Sponsored Programs Administration as a part of the application process. All other Responsible Persons (individuals who are responsible for the conduct, design, or reporting of the research, whether or not salaries are requested) shall submit a current Disclosure of Potential Conflict of Interest form to Sponsored Programs Administration at the time the grant is awarded. Sponsored Programs Administration shall report the existence of a COI and the management plan to federal grant administering agencies when required by federal regulation or the terms of the research grant.
4. **IRB Applications.** Covered Persons listed in Section I of the IRB application shall submit a conflict of interest disclosure form as a part of the application process to the Office of Regulatory Affairs pursuant to UNMC Human Research Protection Program Policy 1.11

5. **Changes in Existing COI.** Any \$5,000 or more increase in the amount of COI must be reported to the COI Officer on a Disclosure of Potential Conflict of Interest form within 60 days of the increase.

#### B. Institutional Conflict of Interest

In order to avoid real and perceived favoritism in long-term or repeated dealings with research sponsors, each/every potential Institutional COI shall be reported. Any Covered Person that has knowledge of potential Institutional COI shall complete a UNMC Disclosure of Potential Institutional Conflict of Interest Form(Appendix C) and send it to the COI Officer for review. The COI Officer shall convene a group of senior UNMC officials appointed by the Chancellor to review the disclosure and implement a management plan if appropriate. Sponsored Programs Administration shall report the significant Institutional COI to federal grant administering agencies when required by federal regulation or the terms of the research grant.

- V. **COI Officer Action.** The COI Officer shall review all conflict of interest disclosure forms and determine in his/her professional judgment whether any action should be taken in response to potential conflicts. If the COI Officer determines that management of the COI beyond mere disclosure is warranted, he/she shall coordinate with the Covered Person to create a proposed management plan. For significant financial interests, the COI Officer shall submit the COI disclosure and the proposed management plan to the COI Committee for review, approval or modification.
- VI. **COI Committee Action.** The COI Committee shall consider the nature of the activity, the magnitude of the COI and its relation to the Covered Person's research, the potential impact the COI might have on the integrity of the Covered Person's decisions, and such other considerations as the COI Committee shall deem relevant in order to make a decision. The COI Committee shall then determine whether the proposed management plan will adequately reduce or eliminate the COI and state its determination on the Conflict of Interest Committee Management Plan Form (Appendix D). In rare instances, the COI Committee may determine that no management plan could adequately reduce the COI, and therefore prohibit the Covered Person from participating in the activity. The COI committee chair shall forward a copy of the approved management plan to the Covered Person, the Covered Person's supervisor, Sponsored Programs Administration, and also to the IRB for review and further modification if human subjects research is involved.
- VII. **Management of COI.** The following is a non-exhaustive list of Management Plan strategies provided to serve as guidance to the COI Officer and the COI Committee.
  - A. Take no action beyond disclosure of the COI to UNMC and/or the research sponsor.
  - B. Disclose the COI to the academic and professional communities in presentations and publications; the research sponsor through written notification; and research participants through informed consent documents when human subjects are involved.
  - C. Require independent monitoring of the research or other academic project.
  - D. Require modification of the research protocol to manage potential bias through means such as blinding; modifying the scope of the project; and setting timetables for delivery of the product.
  - E. Designate a peer or supervising co-investigator with no COI in the project to assume the lead investigative role.
  - F. Require divestiture or appropriate reduction of the financial interest giving rise to the COI with restrictions on re-investment for an appropriate period to provide for publication and critique of the completed project.
  - G. Require severance of relationships existing between the Covered Person and the company or other entity that is the source of the COI.
  - H. Require removal of contract terms which create the COI. For example, under no circumstances shall UNMC engage in projects where payment is defined by the outcome of the research.
  - I. After careful consideration of less prohibitive alternatives, the Covered Person may be disqualified from participation in all or a portion of the research or other project when a COI exists (e.g. may not enroll human research subjects, obtain informed consent, or analyze data).
- VIII. **Institutional Review Board (IRB) Management Plan Review.** When the COI Committee develops management plans for COI involving human subjects research, the IRB shall review the management plan and may require more stringent management of the COI within the scope of authority given to the IRB by federal regulations for the protection of human subjects. However, the IRB may not adopt less stringent

management than the COI Committee plan. The IRB shall notify the COI officer of its decision. The IRB shall incorporate and require implementation of the approved management plan strategies applicable to the research into the approved protocol.

See UNMC Human Research Protection Program Policy 1.11 for further information.

#### IX. **Corrective Action**

Covered Persons who do not disclose potential conflicts of interest they have pursuant to these Procedures, or who choose not to comply with COI Officer or COI Committee determination and recommendations, may be reassigned to an activity in which he/she has no COI. Further, such failure or refusal to comply shall be cause for disciplinary consideration and grounds for employment or academic action.

Sponsored Programs Administration shall notify the Public Health Service Awarding Component when the COI Committee has determined that the failure of the Covered Person to comply with this policy has biased the design, conduct, or reporting of the PHS-funded research in accordance with 42 CFR Part 50 Subpart F.

#### X. **Recordkeeping**

The COI Officer shall retain the forms, records and COI Committee minutes processed pursuant to this policy for purposes of documenting the existence and/or identification of conflicts of interest and commitment and their resolution. Records shall be retained for no less than seven years following the cessation of the outside activity to which they relate.

#### XI. **Audits**

Management of the research conflict of interest program may be audited as a part of the UNMC compliance program.

#### XII. **Open Meetings and Public Records Concerns**

No proceedings under this Policy, including those of the COI Committee, are subject to the public meetings laws of the State of Nebraska, *Neb. Rev. Stat. §84-1408 et. seq.* as amended. The records generated pursuant to this policy are confidential except to the extent they are required to be disclosed pursuant to the Public Records laws found at *Neb. Rev. Stat. §84-712 et. seq.* as amended, or other law requiring disclosure.

Conflict of Interest Policy /  
Appendix A - Conflict of Interest Committee (COIC) Governance /  
Appendix B - UNMC Disclosure of Potential Conflict of Interest /  
Appendix C - UNMC Disclosure of Potential Institutional Conflict of Interest /  
Appendix D - Conflict of Interest Committee Management Plan

*This page updated on Wednesday, November 15, 2007, by dkp.*



## Conflict of Interest Committee (COIC) Governance

- I. **COI Committee Composition.** The COI Committee shall have at least 15 members representing the following areas:
  - A. Associate VC, Academic Affairs – Chair
  - B. College of Medicine
  - C. College of Dentistry
  - D. College of Pharmacy
  - E. College of Nursing
  - F. College of Public Health
  - G. Eppley Cancer Center
  - H. Compliance Officer
    - I. Sponsored Programs Administration
  - J. Associate General Counsel
  - K. Business and Finance
  - L. Vice Chancellor for Research
  - M. Research Compliance (IRB)
  - N. Continuing Education
  - O. Community Member
  
- II. **Membership Term.** COI Committee members shall serve for a term of three years, which may be automatically renewed upon mutual agreement of the member and the Chancellor or his/her designee. New members shall be nominated by the department/unit and approved by the Vice Chancellor of Academic Affairs or his/her designee. The Vice Chancellor of Academic Affairs or his/her designee shall select community member.
  
- III. **Quorum.** A quorum is required for meetings to be conducted. More than half of the membership present will constitute a quorum.
  
- IV. **Voting.** All committee members are eligible to vote. No regular motion shall pass unless a majority of the COI Committee members present vote in favor of the motion.
  
- V. **COIC Member Conflicts.** If a COIC member has a conflict of interest with a specific matter being discussed, the member shall declare that he/she has a potential conflict and shall not vote on the matter. Such conflicts may arise when:
  - A. the member is participating in the research under review;
  - B. the member has a financial relationship with a research sponsor under review; or
  - C. the member has a personal relationship or conflict with the individual under review that could potentially cause the member to be perceived as less than objective in his/her review.
  
- VI. **Committee Review by Telephone/Electronically.** While face-to-face meetings will normally be held, committee review of potential conflicts may be conducted by telephone or electronically at the discretion of the COI Committee chair.
  
- VII. **Meeting Minutes.** The COI Committee chair or his/her designee shall prepare meeting minutes and present them for approval at the next scheduled COI Committee meeting.

For additional information, please contact the Compliance Officer.

[Conflict of Interest Policy /](#)  
[Business Conflict of Interest Procedures / Research Conflict of Interest Procedures / Continuing Education Conflict of Interest Procedures](#)

*This page updated on Tuesday, July 18, 2007, by dkp.*  
**Last Review by Policy Owner: July 11, 2007**

**UNIVERSITY OF NEBRASKA MEDICAL CENTER  
DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST**

**INSTRUCTIONS:** At the direction of the Board of Regents a Disclosure of Potential Conflict of Interest must be completed for all new, renewal, or continuation grant or contract proposals in excess of \$5,000 submitted to agencies or sponsors **OR** to disclose financial or commercial interest with potential for conflict of interest.

1. Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Department/Unit: \_\_\_\_\_ Zip: \_\_\_\_\_ UNMC Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_ Additional Contact Person: \_\_\_\_\_
2.  Initial Disclosure       Update       Annual Disclosure (Calendar Year \_\_\_\_\_ )
3. Title of Project: \_\_\_\_\_  
College: \_\_\_\_\_ Department: \_\_\_\_\_  
Investigator: \_\_\_\_\_
4. How is this project funded?  Departmental source or  External source If external, please identify:  
Sponsor's Name: \_\_\_\_\_  
Nature of Sponsor's Business (e.g. gov't agency, biotech): \_\_\_\_\_  
Amount of Funding: \$ \_\_\_\_\_  Actual or  Estimated  
Project Period Begins: \_\_\_\_\_ Ends: \_\_\_\_\_
5. Describe **in detail** the nature of your potential conflict of interest (describe activity including dollar amount, frequency of payment, length of activity):  
\_\_\_\_\_
6. Will the activity described above use any confidential information belonging to the University, the name of the University, the name of any unit within the University, any logo, trademark or other identifying symbol which is the property of the University to promote the activity?  
 Yes  No If yes, please state the circumstances:  
\_\_\_\_\_
7. Indicate by checking the appropriate response below whether any of the following relationships exist between you or your immediate family<sup>1</sup> and any party with a potential financial interest in the business activity, outcome of the project, the funding governmental agency or other grant source. Complete the information requested in the space provided or by attachment.
  - a. Consulting arrangement?  
 Yes  No If yes, describe in detail:  
\_\_\_\_\_
  - b. Financial remuneration?  
 Yes  No If yes, enter the Amount \$ \_\_\_\_\_ Period or Term: \_\_\_\_\_  
Describe in detail:  
\_\_\_\_\_
  - c. Personal loans:  
 Yes  No If yes, enter the Amount \$ \_\_\_\_\_ Terms of Loan: \_\_\_\_\_
  - d. Any other payment from a party interested in the research outcome, such as honorarium, gift (to you or your work unit) or in kind contribution, beyond payments for legitimate costs of research:  
 Yes  No If yes, enter dollar Amount \$ \_\_\_\_\_
  - e. Other relationship such as director, officer, employee, owner, partner or advisory committee member:  
\_\_\_\_\_

---

<sup>1</sup>Defined as a spouse, biological or adopted child, parent or spouse of a parent, or any person that may be claimed as a dependent under the rules and regulations of the U.S. Internal Revenue Code, or any business or other entity in which the covered person or his/her immediate family owns a controlling interest.

Yes  No If yes, describe the relationship:

f. Current or potential ownership of any intellectual property right (e.g. patent, copyright or royalty) the value of which may be affected by the outcome of the project?

Yes  No If yes, enter dollar Amount \$ and describe:

g. Current or potential ownership of any equity interest (e.g. stock, warrants, options) the value of which may be affected by the outcome of the project?

Yes  No If yes, describe:

Is the interest in a  publicly-traded company or a  privately-held company?

h. Are any of the above described relationships a result of previous research or other projects?

Yes  No If yes, describe:

8. Will you engage in any activity, not part of your job duties, including but not limited to ownership or management participation in what is commonly known as a "start-up company", that may interfere with the commitment necessary to perform your University work duties?

Yes  No *If your answer is "yes", please attach an updated "University of Nebraska Application for Permission to Engage in Professional Activity Outside the University" form.*

9. Will the sponsor or agency hold any rights to research and/or inventions for discoveries associated with this project?

Yes  N If yes, describe:

10. Are there students over whom you have authority to award grades or other evaluations related to the students' program of study who are (1) assisting in the research/project or (2) working or interning in a related tech transfer or similar business entity?

Yes  No If yes, describe:

11. Is the sponsor or agency imposing restrictions on the dissemination of your findings through a grant, publication or other agreement?

Yes  No If yes, describe:

12. Are human subjects involved in this research project?

Yes  No

**The information provided on this form is correct to the best of my knowledge. I agree to submit a supplementary disclosure statement within 60 days of the time that my financial interests change or other developments render this disclosure inaccurate.**

\_\_\_\_\_  
Signature of Reporting Responsible Person

\_\_\_\_\_  
Date

**Approval Recommended:**

\_\_\_\_\_  
Signature of Department or Division Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Dean(s) or Director(s)

\_\_\_\_\_  
Date

**Following review by the Dean, this Disclosure shall be submitted to the COI Officer.**

The undersigned COI Officer has reviewed this matter in accordance with UNMC Policy No. 6040 and makes the following determination:

- No further action is required regarding any potential conflict of interest.
- Disclosure adequately resolves the conflict of interest. The reporting person's interest shall be disclosed in the following venues and manner:
- Further review of this matter is required by the Conflict of Interest Committee.

---

Signature of COI Officer

Date

**Following Conflict of Interest Committee review, is this disclosure subject to a Management Plan?**

- Yes  No      If the answer is "yes", please attach COI Management Plan.

**Approved:** (If Responsible Person indicated yes to any item above, the appropriate administrator must approve by signing below.)

---

Signature of Chancellor/Vice Chancellor or Designee

Date

Distribute copies to Reporting Responsible Person, Dean or Director, IRB in cases involving human subjects, and the Conflict of Interest in Committee when the process includes committee review.

**UNIVERSITY OF NEBRASKA MEDICAL CENTER  
DISCLOSURE OF POTENTIAL INSTITUTIONAL CONFLICT OF INTEREST**

1. Name:

Title:

Department/Unit:

Zip:

UNMC Phone:

E-Mail Address:

2. Describe **in detail** the nature of the potential institutional conflict of interest:

**The information provided on this form is correct to the best of my knowledge.**

\_\_\_\_\_  
**Signature of Reporting Responsible Person**

\_\_\_\_\_  
**Date**



**University of Nebraska Medical Center  
Conflict of Interest Committee Management Plan**

Name: Title:

Department/Unit: Zip:

UNMC Phone: E-Mail Address:

Date Reviewed by Committee: Chair of Committee:

Summary of Potential Conflict:

COI Committee Management Plan Determination:

Institutional Review Board Review and Recommendations and/or Requirements (attach if applicable):

The undersigned has reviewed the COI Management Plan described above as set forth by the COI Committee and if applicable the IRB has completed its review and approval.

\_\_\_\_\_  
Signature of Conflict of Interest Officer

\_\_\_\_\_  
Date

I have been provided with a copy of this management plan/determination and agree to abide by it.

\_\_\_\_\_  
Signature of Responsible Person

\_\_\_\_\_  
Date

Distribute copies to COI Officer, Reporting Responsible Person, Dean, Director or other Supervisor



POLICY NO: **3002**  
EFFECTIVE DATE: **11/15/2006**

## **Guidelines for Participating in Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Programs**

The University of Nebraska Medical Center (UNMC) encourages the commercialization of applied research by faculty and staff and supports collaboration between its entrepreneurial researchers and outside companies. Consistent with its mission, UNMC will assist researchers in commercialization activities that comply with University of Nebraska (UN) Board of Regents Policies and legal and regulatory requirements.

Individuals applying for or managing SBIR/STTR grants shall contact the following offices for assistance in completing the documents listed below to ensure proper SBIR/STTR business organization:

<b>Office</b>	<b>Written Documentation</b>
UNeMed 559-2486	<ol style="list-style-type: none"> <li>1. Ownership of Intellectual Property (Board of Regents Policy 4.4.2)</li> <li>2. Preliminary business plan models and advice</li> <li>3. License Template</li> </ol>
Sponsored Programs Administration 559-7456	<ol style="list-style-type: none"> <li>1. SBIR/STTR subcontract template</li> <li>2. Memorandum of Understanding regarding expected time and effort commitments</li> </ol>
Academic Affairs Compliance & COI Officer 559-6767/6094	<ol style="list-style-type: none"> <li>1. Outside Employment Form (UNMC Policy 1049)</li> <li>2. Conflict of Interest management (as needed)</li> </ol>
Assistant Vice Chancellor Business & Finance 559-5888	Contract for Use of Space and Equipment

For additional information, please contact the COI Officer.

Application for Authorization to Engage Outside Professional Activity

*This is a new UNMC policy.*

*This page updated on Monday, November 20, 2006, by dkp.*

**Last Review by Policy Owner: November 1, 2006**



POLICY NO: **1049**  
EFFECTIVE DATE: **11/01/06**

## Outside Employment Policy

### Basis for Policy

The University of Nebraska Board of Regents Policies (pages RP-60-62) and the University of Nebraska Board of Regents Bylaws 3.4.5, state (in part):

*Staff members employed on a part-time basis by the University, such as practicing lawyers or physicians, may engage in outside employment or activities unless it is expressly stipulated to the contrary in the conditions of employment.*

*Staff members employed by the University, other than those covered by the preceding paragraph, shall be encouraged to engage in professional activities outside the University as a means of broadening their experience and keeping them abreast of the latest developments in their specialized fields; provided such activities do not interfere with their regular duties at the University, or represent a conflict of interest. Staff members may accept temporary or occasional employment for such professional services when such employment is recommended by the Dean of the College or Director of the Division involved and approved by the Chancellor.*

### Policy

1. The University of Nebraska Medical Center (UNMC) declares and affirms a policy that encourages employees to engage in professional activities outside UNMC as a means of broadening their experience and keeping them abreast of the latest developments in their specialized fields. Employees may be employed by other external organizations or at other institutions provided such activities do not interfere with their regular duties at UNMC or create a conflict of interest (see UNMC Policy No. 8010, Conflict of Interest). Employees who consult for the same company they conduct research for may create significant conflicts of interest. Such activities are not recommended.
2. UNMC must be considered the employee's primary employer. While the Outside Employment policy is not intended to restrict an employee's personal rights, UNMC employment will take precedence in all matters involving work issues. Outside employment will not be considered a valid reason for absenteeism, tardiness, or poor job performance.
3. Full-time Academic and Administrative and Managerial Professional Staff shall complete an Application for Authorization to Engage in Outside Professional Activity form prior to engaging in outside professional employment. Part-time Academic and Administrative and Managerial Staff are not required to complete the form.
4. The Application shall be reviewed by supervisory personnel. Vice Chancellors, Deans, Directors, and Department Chairs have primary responsibility for reviewing the specific nature of each proposed outside professional activity within their respective areas of responsibility. They may deny approval for any activity that would interfere with normal UNMC duties or that would create a conflict of interest.
5. Applications shall be forwarded to the Vice Chancellor for Academic Affairs Compliance Department for final campus review by the Chancellor/Vice Chancellor or his/her designee.

Applications requiring Board of Regents approval will be forwarded to Central Administration.

6. Once final approval has been received, the Vice Chancellor for Academic Affairs Compliance Department shall retain the original form and provide copies to the appropriate dean/director, department head, and the applicant.

*For additional information, see the Questions and Answers Regarding the Guidelines and Application for Permission to Engage in Professional Activity Outside the University, contact the Compliance Department at 559-3929, or Human Resources, Employee Relations at 559-5827.*

*Questions and Answers Regarding the Guidelines and Application for Permission to Engage in Professional Activity Outside the University / Application for Authorization to Engage in Outside Professional Activity Form in Word format or PDF format*

*This replaces UNMC Policy 1049, issued on 05/15/06.*

*This page updated on Wednesday, December 5, 2007, by dkp.*

***Last Review by Policy Owner: November 1, 2006***

# UNL Conflict of Interest in Research Policy

## I. Introduction

The following is the University of Nebraska – Lincoln’s Conflict of Interest in Research Policy, and it is intended to supplement Regents Policy 3.2.8 which is incorporated herein by reference. This policy addresses federal Public Health Service and National Science Foundation regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), US Department of Education regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42) and other relevant federal policies which regulate activities that may result in conflict of interest in research.

Potential conflicts of interest in research arise in a variety of circumstances in the academic setting. Examples include, but are not limited to, the following:

- a. Receipt of significant consulting fees and other payment or remuneration from commercial sponsors of research;
- b. Payments related to recruiting or enrolling research participants;
- c. Financial interests in commercial sponsors of research;
- d. Royalty interests resulting from publication, products, or technology;
- e. Support from commercial or philanthropic sponsors of research;
- f. Serving as a director of a company that is a UNL vendor, sponsors research, or provides other support to the University; or
- g. Employing subcontractors in which a Covered Person or an immediate member of his/her family has a substantial financial interest.

These activities may create a potential conflict between (1) an individual’s duty to UNL and his/her personal interests; or (2) the University’s responsibility to engage in unbiased research and the financial interests of UNL or Covered Persons with the authority to make institution wide policy.

(Note: Institutional conflict of interest in research, wherein the institution holds a significant financial interest in an entity that is related to an externally sponsored research project, is addressed in policies of the Office of Technology Development [OTD]. The OTD policy addresses conflicts of interest and apparent conflicts of interest that may arise from the University’s financial interests in commercial companies or other entities when those interests relate in some way to research performed at the University or by University faculty or other researchers. It is intended to provide a framework within which the University will operate in its relationships with outside companies and other commercial institutions.)

## **II. Appropriateness of Research (RP – 3.2.8-4)**

Research is a central element of the University's mission. Research leads to discovery and innovation, fosters instruction and student learning, informs public service, and brings recognition to the University and its faculty. All forms of research conducted in a responsible manner characteristic of the institutional core values are important to further advance the University's mission. As such, industry-supported research is a legitimate academic endeavor. Nationally, research universities are seeking to actively strengthen their relations with industry to translate research inquiry into innovation and technology development. Government and industry alike support basic, applied, and proprietary research. Because of the intertwined nature of government and industry research goals, distinction between these categories of research is often arbitrary. Research is critical to education, regardless of the source of funding, as both industry- and government-sponsored research has led to significant innovation and technology development. Research collaboration with industry can challenge faculty, enrich graduate and undergraduate education, and open new options for employment and economic development.

Although the University interests include fostering University-industry partnerships, potential conflicts of interest may arise as a result of industrial sponsorship of research. Prospects of financial gain could influence investigators and the University to choose more commercially imminent, product-oriented research, rather than those that fulfill the longer-term objectives of advancing more basic knowledge. Such a decision-making focus could affect deleteriously the quality and breadth of the University research, teaching and service mission. For federally-sponsored projects, such problems are prevented in part by the established external peer-review system and interest disclosure, in addition to internal review accomplished by the appropriate department chair(s)/head(s) and director(s), dean(s), and vice chancellor(s). Because industrial sponsors typically do not utilize peer review, the University's internal review of industry-sponsored projects must be especially thorough.

## **III. Basis for Policy**

Section 3.4.5 and 3.8 of the *Bylaws of the Board of Regents of the University of Nebraska*, Nebraska Conflict of Interest Statutes, *Neb. Rev. Stat. §49-1493 et. seq.*, Board of Regents Conflict of Interest Policy, RP-3.2.8, Public Health Service and National Science Foundation regulations and guidelines (42 CFR Part 50, Subpart F and 45 CFR Part 94.1), US Department of Education regulations (34 CFR Part 75.524, 34 CFR Part 75.525 and 34 CFR Part 74.42) and other relevant federal policies regulate activities which may result in conflict of interest in research.

## **IV. Policy**

UNL shall identify, manage, reduce, and/or eliminate conflicts of interest in research to maintain the public trust in university research. While UNL encourages industry partnerships in the conduct and commercialization of research innovation, potential conflicts of interest often arise in the conduct of research where UNL or its investigators have a

financial interest in the outcome of research. A conflict of interest in research that entails a significant financial interest, as defined below, must be managed pursuant to this policy.

## **V. Applicability**

This policy applies to all University employees, including part-time and full-time employees, visiting faculty/employees, post-doctoral research associates and fellows, graduate assistants, and students, both graduate and undergraduate, who are involved in research. Collectively, they shall be called “Covered Persons”.

A financial interest of the Covered Person includes any financial interest accruing to the immediate family, including parent(s), or spouse of a parent, spouse, biological or adopted child of a Covered Person, or anyone that a Covered Person may claim as a dependent under the Internal Revenue Code, or any financial interest accruing to a business or other entity in which the Covered Person or his/her immediate family member owns a controlling interest.

Likewise, this policy is intended to apply to the University’s relations with all kinds and forms of government agencies, individuals, and private enterprises in general: entities big and small, start-up or established and ongoing, independent, and/or portions of larger entities; whether proprietorships, partnerships of any variety, corporations, or other forms of business organization; regardless of where they are located geographically; whether entirely separate from the University; companies involving University employees, spun off from the University; companies involving University employees, spun off from faculty research; or University-affiliated companies (RP – 3.8.2-3).

## **VI. Definitions**

“Conflict of Interest in Research” refers to situations where the Covered Person’s financial interests or fiduciary duties owed to third parties may bias and/or compromise, or have the appearance of biasing and/or compromising, a Covered Person’s professional judgment or behavior in carrying out his/her obligations surrounding the University’s research mission.

A conflict of interest in research that is a “Significant Financial Interest” must be managed pursuant to this policy.

A “Significant Financial Interest” is anything of monetary value that exceeds \$2,000.00 from sources that reasonably might appear to be affected by the Covered Person’s research. Significant Financial Interests that must be disclosed to the University are defined in Regents Policy 3.2.8. Some examples of Significant Financial Interests that would need to be disclosed to the University under this policy include, but are not limited to, the following:

- a. Salary, royalties, or other remuneration received outside of the University of Nebraska system;
- b. Other income or payments for services (e.g., consulting fees or honoraria) except for (1) income from seminars, lectures, or teaching engagements sponsored by

public or non-profit entities; or (2) income from service on advisory committees or review panels for public or nonprofit entities;

- c. Equity interests (e.g., stocks, stock options or other ownership interests) that when aggregated for the Covered Person and the Covered Person's immediate family, including parent(s), or spouse of a parent, spouse, biological or adopted child of a Covered Person, or anyone that a Covered Person may claim as a dependent under the Internal Revenue Code, exceeds \$2,000.00 in value or represents more than five percent ownership in a single entity;
- d. Intellectual property rights (e.g., patents, copyrights, and royalties from such rights); or
- e. The Covered Person or the Covered Person's immediate family, including parent(s), or spouse of a parent, spouse, biological or adopted child of a Covered Person, or anyone that a Covered Person may claim as a dependent under the Internal Revenue Code holding a position as an officer in a company seeking to sponsor research at the University with which the Covered Person will be involved.

## **VII. Program Management and Conflict of Interest in Research Committee**

Under the authority of the Vice Chancellor for Research, the Associate Vice Chancellor for Research will oversee and monitor implementation and compliance with this policy. Under the supervision of the Associate Vice Chancellor of Research, the Director of Research Compliance Services shall be responsible for managing the ongoing program, for providing guidance and interpretation to Covered Persons seeking to comply with this policy, and carrying out the duties associated with reporting conflicts of interest in research.

Selected by the Vice Chancellor for Research, a Conflict of Interest in Research (COIR) Committee shall be appointed. The COIR Committee will be composed of seven members, including four tenured/tenure track faculty members with university academic appointments, and three faculty serving as representatives for each of the Deans of the College of Arts & Sciences, Agricultural Research Division, and the College of Engineering, one of whom is selected to serve as the COIR Committee Chair. The eighth and non-voting member, the Director of Research Compliance Services, will serve as the Executive Secretary, under the supervision of the Associate Vice Chancellor for Research. The Associate Vice Chancellor for Research, Associate Vice Chancellor for Technology Development, and a representative from the Office of the General Counsel shall be ex officio, non-voting committee members. The COIR Committee shall be a standing committee that operates in accordance with the guidelines in Appendix A. The COIR Committee is charged with the following duties and responsibilities: 1) provide oversight and review of research-related conflict of interests, 2) develop management plans to manage, reduce, or eliminate conflict of interests that arise in the conduct of research, in light of federal, state, and university rules, laws, and administrative requirements, 3) periodically review the conflict of interest in research policy and operating procedures, and make recommendations for change, as needed, and 4) liaison



with Office of Research staff to ensure timely communication with faculty and compliance-related reporting.

## **VIII. Reporting and disclosure of interests to determine potential conflicts**

### **A. Disclosure of Interests**

Covered Persons who engage in research activity shall complete annually a Confidential University of Nebraska Disclosure of Interest form (Appendix B – electronically through NUGrant). When the Disclosure of Interest form is completed as required by University of Nebraska policy (see Disclosure of Interest Implementation Procedure), the Office of Sponsored Programs will forward the completed Disclosure of Interest form to the Director of Research Compliance Services if any of the items are endorsed. Accurate completion of this form and accurate responses to any inquiries related thereto satisfy the disclosure requirements of the Board of Regents Conflict of Interest Policy, RP-3.2.8. The Director of Research Compliance Services shall decide if mere disclosure of interest in research is adequate to manage, reduce, or eliminate the conflict. If disclosure is adequate, the Director of Research Compliance Services shall determine the type and extent of disclosure and notify both the Covered Person, as well as the Covered Person's immediate supervisor. If the Director of Research Compliance Services determines that mere disclosure is not adequate to manage, reduce, or eliminate the potential conflict, the matter shall be referred to the COIR Committee for further consideration. After consideration by the COIR Committee is complete, the Director of Research Compliance Services shall report the potential conflict of interest in research and any approved management plan to the VCR for subsequent approval. This plan then will be submitted for review and approval by the appropriate department chair(s)/head(s) and director(s), dean(s), and vice chancellor(s). The Director of Research Compliance Services also shall report that the management plan has been completed to federal grant administering agencies, where required by federal regulation of the terms of the research grant.

### **B. Sponsored Program Proposals**

Covered Persons who engage in research as co-investigators or other key personnel on projects shall submit a Confidential University of Nebraska Disclosure of Interest form (Appendix B – electronically through NUGrant). When the Disclosure of Interest form is completed as required by University of Nebraska policy (see Disclosure of Interest Implementation procedure), the Office of Sponsored Programs will forward the completed Disclosure of Interest form to the Director of Research Compliance Services if any of the items are endorsed. Accurate completion of this form and accurate responses to any inquiries related thereto satisfy the disclosure requirements of the Board of Regents Conflict of Interest Policy, RP-3.2.8. Where there are interests endorsed, Office of Sponsored Programs shall forward electronically the disclosure form to the Director of Research Compliance Services for review and action, pursuant to section VIII below and, if applicable, the Board of Regents Conflict of Interest Policy. After review by the Director of Research Compliance Services is complete, the Director of Research

Compliance Services, after appropriate review by the COIR Committee, shall report the conflict of interest in research and the management plan to the VCR for further review and approval. After the management plan is approved by the appropriate department chair(s)/head(s) and director(s), dean(s), and vice chancellor(s), the Director of Research Compliance Services also shall report that the management plan has been completed to federal grant administering agencies, where required by federal regulation of the terms of the research grant.

C. Changes in Interests in Research

Any change in the interests in research must be reported to the Director of Research Compliance Services on a Confidential University of Nebraska Disclosure of Interest form (Appendix B) electronically through NUGrant within 30 days of the change.

D. Annual Submission and Review of Conflict of Interest in Research Disclosure Form

Covered Persons who have submitted disclosure forms previously shall annually update their disclosure of interests in research by completing annually the generic Confidential University of Nebraska Disclosure of Interest form electronically through NUGrant. This disclosure form must be completed at least annually until completion of the research project, or more frequently if required by an approved conflict of interest management plan. If there are changes in the interests in research within the annual period, the disclosure form must be completed at a less than annual interval, pursuant to Section 6C of this policy. The Director of Research Compliance Services shall review these disclosure forms and determine whether further COIR Committee review is necessary, pursuant to Section 6A of this policy.

**IX. Executive Secretary Action**

The Director of Research Compliance Services in the role of Executive Secretary shall review all disclosure of interest in research forms and determine in his/her professional judgment whether any further action should be taken to manage, reduce, or eliminate potential conflicts of interest in research. If the Director of Research Compliance Services determines that the potential or perceived conflicts of interest in research require management beyond mere disclosure, (s)he will convene the COIR Committee to create the management plan. The COIR Committee will be provided and will review all necessary information to be able to develop an appropriate conflict of interest in research management plan as needed to meet regulatory requirements. The COIR Committee, as part of developing the management plan, will obtain information from the faculty member in order to understand the nature of the financial interest and the conflict of interest, and to consider various potential courses of action.

**X. COIR Committee Action**

The COIR Committee shall consider the nature of the research activity, the magnitude of the interest in research and its relation to the Covered Person's research, the potential impact of

the potential or perceived conflict of interest in research might have on the integrity of the Covered Person's decisions, and such other considerations as the COIR Committee shall deem relevant, in order to render a decision and formulate a management plan. The COIR Committee then shall determine whether the proposed management plan will manage, reduce, and/or eliminate the potential or perceived conflict of interest in research adequately. This determination will be so stated on the Conflict of Interest in Research Management Plan Determination form (Appendix C). In rare instances, the COIR Committee may determine that no management plan can manage, reduce, or eliminate the conflict of interest adequately. In this case, the COIR Committee will prohibit the Covered Person from participating in the research activity. The COIR Committee Chair shall transmit a copy of the approved management plan to the VCR for further review and approval, with final review and approval by the appropriate department chair(s)/head(s) and director(s), dean(s), and vice chancellor(s). If the research activity includes the use human participants, non-human vertebrate animals, biosafety-regulated, or radioactive materials, the appropriate university review boards also will review the research activity, in light of the potential or perceived conflict of interest in the research management plan.

## **XI. Management of Conflict of Interest in Research**

The following is a non-exhaustive list of management plan strategies provided to serve as guidance to the Director of Research Compliance Services and COIR Committee:

- a. Take no action beyond disclosure of the conflict of interest in research to the University and to the research sponsor;
- b. Disclose the potential or perceived conflict of interest in research to the academic and professional communities in all presentations and publications; to the research sponsor through written notification; and to human research participants through informed consent documents when human participants are involved in the conduct of the research activities;
- c. Require independent monitoring of the research or other academic project; for example, review by a scientific advisory board, composed of faculty peers from other institutions, to assess scientific progress and outcomes;
- d. Require modification of the research protocol or other academic project to manage, reduce, or eliminate potential bias through means such as blinding, modifying the scope of the project, and/or setting timetables for delivery of the product, if applicable;
- e. Designate a peer or supervising co-investigator with no conflict of interest in research in the project to assume the lead investigative role;
- f. Divest of necessary interests to reduce the financial interest giving rise to the conflict of interest in research, with restrictions on re-investment for an

appropriate period, in order to provide for publication and independent critique of the completed project;

- g. Sever relationships existing between the Covered Person and the company or other entity that is the source of the conflict of interest in research;
- h. Remove contract terms that create the conflict of interest in research; for example, under no circumstances shall the University engage in research where payment depends upon the outcome of the research;
- i. After careful consideration of less prohibitive alternatives, the Covered Person may be disqualified from participation in all, or in any portion of, the research or other project when a conflict of interest in research exists that cannot be managed, reduced, or eliminated adequately.

## **XII. Other Compliance Committee Review of COIR Management Plan**

After the COIR Committee develops the COIR management plan, the relevant compliance committee (e.g., Institutional Review Board when the use of human participants in research is required, Institutional Animal Care and Use Committee when non-human vertebrate animals are used in research, Biosafety Committee for the use of covered, biologically hazardous agents, and Radiation Safety Committee for the use of radiation in research) shall review the management plan in light of its impact on the conduct of the research project. The relevant compliance committee may recommend or require more stringent management of the conflict of interest in research than is provided in the COIR Management Plan, within the scope and authority given to the compliance committee by federal regulations. However, the relevant compliance committee may not adopt less stringent management than that put forth in the COIR Committee management plan. The recommendation or requirement deemed necessary by the relevant compliance committee will be transmitted to the Director of Research Compliance Services for further review and, as necessary, further consultation with the COIR Committee or other action(s). The relevant compliance committee shall incorporate and require implementation of the approved COIR management plan strategies applicable to the research into the approved protocol of the pertinent compliance committee.

## **XIII. Corrective Action**

Covered Persons who do not disclose interests in research pursuant to this policy or who choose not to comply with the Director of Research Compliance Services or the COIR Committee determination and recommendations, or the COIR management plan may be reassigned to an activity in which there is no potential or perceived conflict of interest in research. Further, such failure or refusal to disclose or comply may be deemed a violation of this policy and Board of Regents Policy 3.2.8 and shall be cause for consideration of further disciplinary, employment, and/or academic action. For Public Health Service (PHS) research the Office of Research shall notify the PHS Awarding Component when the COIR

Committee has determined that failure of the Covered Person to comply with this policy has biased the design, conduct, or reporting of the PHS-funded research in accordance with 42 CFR §50 Subpart F, 34 CFR §74.51.

#### **XIV. Recordkeeping**

The Director of Research Compliance Services shall retain the disclosure forms, records, and COIR Committee meeting minutes processed pursuant to this policy for purposes of documenting the existence and/or identification of conflicts of interest in research and their management. Records shall be retained for no less than five years following the cessation of the research activity to which they relate.

#### **XV. Audits**

Management of the conflict of interest in research program shall be audited as part of the compliance service programs.

#### **XVI. Open Meetings and Public Records Concerns**

No proceedings under this policy, including those of the COIR Committee, are subject to the public meeting laws of the State of Nebraska, *Neb. Rev. Stat. §84-1408 et. seq.*, as amended. The records generated pursuant to this policy are confidential except to the extent they are required to be disclosed pursuant to the Public Records laws found at *Neb. Rev. Stat. §84-712 et. seq.*, as amended or other laws requiring disclosure.

## Appendix A: COIR Committee Governance

1. Conflict of Interest in Research and Related Activities Committee (COIR Committee). Pertaining to matters specified in Section 3.2.8 of the Board of Regents Bylaws, a COIR Committee is established to review and manage conflicts of interest that arise in research and related activities, in light of federal, state, and university rules, laws, and administrative requirements.

The COIR Committee is hereby charged with the following duties and responsibilities:

- a) Provide oversight and review of research-related conflicts of interest,
- b) Develop management plans to manage, reduce, or eliminate conflicts of interest that arise in the conduct of research, in light of federal, state, and university rules, laws, and administrative requirements,
- c) Periodically review the conflict of interest in research policy and operating procedures, and make recommendations for change, as needed,
- d) Liaison with Office of Research staff to ensure timely communication with faculty and compliance-related reporting.

2. COIR Committee Composition

The COIR Committee shall be composed of 7 voting members (4 faculty representatives and 3 representatives from the Deans of the College of Arts & Sciences, the Agricultural Research Division, and the College of Engineering) and 3 ex-officio members, selected by the Vice Chancellor for Research and operationally managed by the Associate Vice Chancellor for Research. All seven members must be tenured/tenure track faculty with a university academic appointment. The eighth and non-voting member, the Director of Research Compliance Services, will serve as the Executive Secretary, under the supervision of the Associate Vice Chancellor for Research. The Associate Vice Chancellor for Research, Associate Vice Chancellor for Technology Development, and a representative from the Office of the General Counsel shall be ex officio, non-voting committee members. The Vice Chancellor for Research shall select a COIR Committee chair.

3. Membership Term

COIR Committee members shall serve for a fixed term of three years, commencing and terminating at the end of the calendar year. Terms will be staggered for individual members to ensure continuity across years. New members shall be selected by the Vice Chancellor for Research.

4. Quorum

The COIR Committee Chair, or her/his designee, shall preside at all meetings. A quorum is required for committee business to be conducted. A simple majority of the voting membership present will constitute a quorum.

5. Voting

No regular motion shall pass unless majority of the COIR Committee members present vote in favor of the motion.

6. Meeting Schedule

The COIR Committee shall have regular, monthly meetings during the calendar year, as needed. Meetings may be conducted by telephonically or electronically at the discretion of the COIR Committee Chair, as long as quorum is met.

7. Meeting Minutes

The Executive Secretary, or his/her designee, shall prepare meeting minutes and present them for approval at the next scheduled COIR Committee meeting.

**Appendix B: Confidential University of Nebraska Disclosure of Interest form**

(Please see attached form – now electronically provided by NUGrant)





# IRF Workflow



## COMMENTS

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## NUgrant Interest Reporting University of Nebraska

1 Preparation  
● Incomplete

### Tasks

Add/Edit Form

### Form Pages

- ✓ Pg. 1 Instructions
- Pg. 2 Financial Disclosure
- Pg. 3 Financial Disclosure Cont.
- Pg. 4 Management Disclosure
- Pg. 5 Additional Information

Welcome to the new Financial Interest Reporting process. The time it will take you to complete this form will vary, however, future updates will take less time because the fields will be pre-populated based on your initial answers.

#### Why do we have a Financial Interest Reporting Form?

With greater campus interest in entrepreneurship and corporate partnerships, university personnel may have financial interests in research outcomes. UNL requires the disclosure of financial interests related to your research to help you comply with federal regulations and University policies as well as to protect you from any questions concerning integrity of the research. Your disclosure is the first step in the process used to manage conflicts of interest in research, and for the most part, is all that is required. For some though, review and development of a management plan by the faculty Conflict of Interest in Research Committee (CIRC) will be necessary to reduce, manage, or eliminate financial conflicts of interest.

#### How do I know what "related to your research" means?

Here is an example to illustrate what 'related to your research' means. If a faculty member owns a winery, she would report the ownership interest she has in the winery if her research concerned increasing sugar production by selective grape breeding. She would not report the same winery ownership interest if her research addressed signal transduction in wireless communications.

#### What happens next?

After you complete and submit the form, routing is initiated just as in the grant application process. You will receive an email notifying you of each step in the routing process. All information that you provide is kept strictly confidential.

If you have questions, please email Sara Conrad, sconrad2@unl.edu or call 472-6965 for assistance. Thank you in advance for completing this process, we are very much looking forward to working with you!

Please press 'Next' to begin.



### Documentation

- Sponsored Programs - Quick Reference
- Sponsored Programs - Complete Guide
- IRB - Human Subjects

### Support Email

- nugrant@unl.edu
- nugrant-circ@unl.edu
- nugrant-iacuc@unl.edu
- nugrant-ibc@unl.edu
- nugrant-irb@unl.edu

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- Office of Research
- NUgrant contacts



# IRF Workflow

1

Preparation    Route    CIRC Review

## COMMENTS

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For more information on Interest Reporting, please contact 472-6965  
\* indicates required fields

1

Preparation

Incomplete

Tasks

Add/Edit Form

Principal Investigator:

Turan Odabasi    todabasi@unlnotes.unl.edu    (402)472-1201

Department(s):    Add Department

Chancellor's Office

Edit    Remove

## Form Pages



Pg. 1 Instructions

Pg. 2 Financial Disclosure

Pg. 3 Financial Disclosure

Cont.

Pg. 4 Management Disclosure

Pg. 5 Additional Information

## Financial Disclosure

\* 1. Do you or your immediate family, individually or together, have equity or ownership interest in a business entity that is in any way related to your research?

*Include any planned equity or ownership interest you anticipate receiving in the next 12 months. Do not include any ownership interest in mutual funds that are managed by an independent investor.*

Check if Page is Completed

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## Documentation

Sponsored Programs - Quick Reference  
Sponsored Programs - Complete Guide  
IRB - Human Subjects

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### Financial Disclosure Continued

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- Pg. 3 Financial Disclosure Cont.
- Pg. 4 Management Disclosure
- Pg. 5 Additional Information

\* 2. In the past 12 months, did you receive any revenue in salary, consulting fees, royalties, honoraria, and/or any other payments, loans, or gifts that is in any way related to your research? Do not include any payments from UNL.

*Please note: The following interests from outside entities need NOT be disclosed: Income from seminars, lectures, or other educational activities sponsored by not-for-profit entities; Income from service on advisory committees or review panels for public or not-for profit entities; Any financial interest arising solely by means of investment in a mutual, pension, or other institutional investment fund as long as the individual does not exercise control over the management and investments of such fund.*

\* 3. Do you or your immediate family own or have intellectual property rights (e.g., patents, copyrights, licensing from such rights) in any way related to your research? Do not include intellectual property developed at UNL.

\* 4. Does a sponsor or organization hold any rights to research and/or inventions or intellectual property for discoveries associated with your research?

\* 5. Does a sponsor or organization impose restrictions on the dissemination of research publications or presentations?

Check if Page is Completed

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## Documentation

- Sponsored Programs - Quick Reference
- Sponsored Programs - Complete Guide
- IRB - Human Subjects

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# IRF Workflow

1



Preparation    Route    CIRC Review

## COMMENTS

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### Management Disclosure

1

Preparation

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#### Tasks

Add/Edit Form

\* 6. In the past 12 months, did you or your immediate family hold any management positions such as board member, director, officer, owner, partner, employee, consultant, scientific advisory committee, or other?

\* 7. In the next 12 months, do you anticipate that you or your immediate family will hold any management positions such as board member, director, officer, owner, partner, employee, consultant, scientific advisory committee, or other?

#### Form Pages

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Pg. 1 Instructions

Pg. 2 Financial Disclosure

Pg. 3 Financial Disclosure

Cont.

Pg. 4 Management

Disclosure

Pg. 5 Additional Information

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### Documentation

Sponsored Programs - Quick Reference  
Sponsored Programs - Complete Guide  
IRB - Human Subjects

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# IRF Workflow

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## COMMENTS

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### Additional Information

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 Incomplete

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#### Form Pages

- Pg. 1 Instructions
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#### \*\*Important\*\* Disclosure Description

**Notice:** Please use the space below to add any further information that might assist the faculty review committee to better understand your interests and your research. **Please note that additional materials may be requested, if needed. For more information on Interest Reporting, please contact 472-6965.**

Additional Information:

Please attach project abstract(s) or short description(s) below:

Check if Page is Completed

## Documentation

Sponsored Programs - Quick Reference  
 Sponsored Programs - Complete Guide  
 IRB - Human Subjects

## Support Email

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 nugrant-iacuc@unl.edu  
 nugrant-ibc@unl.edu  
 nugrant-irb@unl.edu

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**Appendix C: Conflict of Interest in Research Management Plan Determination form**

**UNIVERSITY OF NEBRASKA – LINCOLN**  
**Conflict of Interest in Research Committee Management Plan**

Name: \_\_\_\_\_

Campus Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Date Reviewed by Committee: \_\_\_/\_\_\_/\_\_\_ COIR Committee Chair: \_\_\_\_\_

Potential Conflict of Interest in Research: Attach Summary

COIR Committee Management Plan Determination:

Disclosure Sufficient

Disclosure Insufficient – Management Plan Required and Attached

Relevant compliance committee review (e.g., IRB, IACUC, Biosafety, Radiation Safety) and Recommendation and/or Requirements (Appended if Applicable):

IRB Date Approved: \_\_\_\_\_

IACUC Date Approved: \_\_\_\_\_

Biosafety Date Approved: \_\_\_\_\_

Radiation Safety Date Approved: \_\_\_\_\_

The undersigned has reviewed the conflict of interest in research Management Plan describe above as set forth by the COIR Committee, with review by the relevant compliance committee if applicable:

\_\_\_\_\_  
Director of Research Compliance Services Date

I have been provided with a copy of this management plan/determination and agree to abide by it.

\_\_\_\_\_  
Investigator/Covered Person Date

Distribute to Director of Research Compliance Services, Investigator, department chair(s)/head(s) and director(s), dean(s), and vice chancellor(s).



## Office of the Senior Vice Chancellor for Academic Affairs

### Promoting Academic Excellence at UNL

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#### Faculty Resources: Outside Activity

#### Board of Regents By Laws on Outside Employment Policy As Amended, September 2005

- [Outside activity form](#)
- [Clarification of Authorization to Engage in Outside Professional Activity](#)

3.4.5 Outside Employment. Staff members employed on a part-time basis by the University, such as practicing lawyers or physicians, may engage in outside employment or activities unless it is expressly stipulated to the contrary in the conditions of employment.

Staff members employed by the University, other than those covered in the preceding paragraph, shall be encouraged to engage in professional activities outside the University as a means of contributing to the economic growth and development of the state as well as broadening their experience and keeping them abreast of the latest developments in their specialized fields; provided such activities do not interfere with their regular duties at the University, or represent a conflict of interest. Staff members may accept temporary or occasional employment for such professional services when such employment is recommended by the Dean of the college or director of the division involved and approved by the Chancellor or President, or their designees.

Specific approval of the Board is required before any members of the full-time professional staff:

- (a) May be retained to provide professional services outside the University to an individual person, client, company, firm or governmental agency over a time period lasting more than two years.
- (b) May accept professional employment requiring more than an average of two days per month during the period of his or her full-time University employment.

The President shall promulgate such executive policies as shall be necessary for administration and enforcement of this Section 3.4.5 including regulations covering the conduct of outside professional activity performed in University buildings using University equipment or materials that assure there is adequate consideration to the University for such use. Nothing contained in this Section 3.4.5 shall affect the administration or enforcement of the Medical Service Plan or the Dental Service Plan at the University of Nebraska Medical Center, or any amendments or revisions thereof which have been approved by the Board.

History: Amended, 56 BRUN 90 (22 June 1991), Amended, 65 BRUN 142 (16 September 2005).

#### Faculty Resources

- [Faculty Resources Index](#)
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- [Forms](#)
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#### Administrative Resources

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UNIVERSITY OF NEBRASKA

APPLICATION FOR AUTHORIZATION TO ENGAGE IN OUTSIDE PROFESSIONAL ACTIVITY

Date \_\_\_\_\_ Department \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Date(s) of Activity \_\_\_\_\_

Nature of Activity (please describe the general nature of the outside activity proposed, i.e., consulting, research, teaching, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In order to engage in outside professional activity, the Board of Regents requires that you answer the following questions. These are to protect you and the University. They will permit you to obtain the proper approvals so you will not be in violation of your obligations to the University. They will also provide a check list to assure that you and the University are in compliance with those regulations that govern the University, particularly if your activity could be categorized as research.

PART I: CONDITIONS REQUIRING BOARD OF REGENTS APPROVAL

- 1. Will you be retained to provide professional services outside the University to an individual person, client, company, firm or governmental agency over a time period lasting more than two years? Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is "yes" you will require approval of the Board of Regents before engaging in this activity.

- 2. Will this outside professional activity, combined with all other professional activity which has been approved, prevent you from performing your regular duties at the University by totaling more than an average of two days per month? Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is "yes" you will require approval of the Board of Regents before engaging

Revised 12-19-05

**in this activity unless, with the approval of your Dean, you either (1) reduce your FTE (and accordingly your University salary and fringe benefits) to reflect the time reduction in your regular duties or you arrange to have the company or institution reimburse the University directly for the salary and fringe associated with the time reduction in your regular duties.**

In lieu of seeking Board of Regents approval I intend to \_\_\_\_ reduce my FTE by \_\_\_\_% or \_\_\_\_ arrange for reimbursement to the University for \_\_\_\_% of my salary and fringe benefits.

**PART II: CONDITIONS REQUIRING DEANS APPROVAL**

1. Is your outside activity going to be performed off the premises of the University and without the use of University equipment or materials? Incidental use of the office space, phone, or desktop computers supplied to you by the University as part of your normal functions as a faculty member is not regarded as the use of University premises or equipment. University premises do not include land or buildings leased by the University to private companies exclusively for their use, such as in a technology park.  
Yes \_\_\_\_\_ No \_\_\_\_\_.

**If your answer is “Yes”, you do not need to complete the remainder of this form but you must obtain the approval of your Dean before engaging in the outside activity. If your answer is “No” you must complete the rest of the form.**

2. To what extent will the University be reimbursed for any costs borne by the University associated with your use of University premises, equipment, or materials?

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3. If you perform work for an outside contractor while on the University’s premises or through the use of University equipment and materials, you remain subject to the same regulations that would apply were you doing similar work as part of your University responsibilities. Particularly, if your work were characterized as “research”, the full range of federal research compliance mechanisms is applicable. Please review the following list of potential issues and inform your Dean if any might be applicable.

- A. The activity is likely to result in a discovery, writing or software that is subject to the Board of Regents policy on intellectual property.
- B. The activity involves experimentation with or on human subjects or involves surveys of human subjects.
- C. The activity involves the use of animals.
- D. The activity may involve students, faculty, or third persons who are foreign nationals. (Federal regulations relating to national security prohibit foreign

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nationals from certain countries to have access to various technologies including computer technology.)

- E. The activity involves the use of hazardous chemicals, radioisotopes, biological agents, or recombinant DNA.
- F. I am currently working on a separate federally funded research project that requires "effort reporting" through Personal Activity Reporting system.
- G. The activity involves my use on behalf of another of intellectual property owned by me, by the university, or by a third person other than the party for whom I propose to provide services.
- H. The activity involves the use of information classified by the government as secret, top secret, or any other classification that would obligate you or the University to keep it in confidence.
- I. The activity requires that I sign a confidentiality agreement that would prevent me from publishing information about the activity.

I have read the above listed items A through I.

\_\_\_\_\_ None are applicable to my proposed outside activity.

\_\_\_\_\_ One or more may be applicable. (Please circle applicable issues).

**If you have difficulty or do not understand any of the items listed above, please consult your Dean or office responsible for federal regulatory compliance. If one or more of these items may be applicable to your proposed activity, your Dean is required to consult with the regulatory compliance officer of your campus before granting approval for you to proceed.**

Approval Requested: \_\_\_\_\_ (Applicant) Date: \_\_\_\_\_

Approval Recommended: \_\_\_\_\_ (Head of Department) Date: \_\_\_\_\_

Approval Recommended (Granted): \_\_\_\_\_ (Dean) Date: \_\_\_\_\_

Approval by the Board of Regents Required: Yes \_\_\_\_\_ No \_\_\_\_\_

For the Chancellor \_\_\_\_\_ Date: \_\_\_\_\_

For the Board of Regents \_\_\_\_\_ Date: \_\_\_\_\_

Revised 12-19-05

## Memorandum

TO: UNL Deans

FROM: Evelyn Jacobson  
Associate Vice Chancellor

DATE: June 2, 2008

RE: Policy: Authorization to Engage in Outside Professional Activity

Please distribute the following policy clarification to Chairs and Heads and ask them to inform their faculty and insure that faculty complete the required application:

### **Policy: Authorization to Engage in Outside Professional Activity**

The University of Nebraska Application for Authorization to Engage in Outside Professional Activity [attached] must be completed by all 9 and 12 month faculty members, not only for such activities occurring during the academic year, but also for such activities that occur during summer months. University Counsel issued the following opinion in 1996:

During summer months faculty members on continuing academic year appointments are still full-time academic-administrative employees and are still subject to the provisions of Section 3.4.5 requiring prior approval to engage in outside professional activity. Everyone needs to keep in mind that Section 3.4.5 of the Bylaws says that staff members are "encouraged to engage in professional activities outside the University." Thus, the requirements of Section 3.4.5 should not be viewed as an imposition, but rather as the University's endorsement and approval of outside professional activity. The review by the University in approving outside professional activity under Section 3.4.5 should act as a shield for the faculty member against complaints of conflict of interest. I agree that a faculty member on an academic year appointment would not need Regental approval during the summer months of outside professional activity that exceeds two days per month, because such outside professional activity would occur at a time other than during the period of the faculty member's full-time employment by the University, which is the academic year.

Because of possible impact on the Disclosure of Interest that must be completed for the Office of Research, the VCR will now be copied on all completed Application(s) for Authorization to Engage in Outside Professional Activity.

**CODE OF CONDUCT FOR UNIVERSITY OF NEBRASKA  
STUDENT FINANCIAL AID WORKERS**

(January 6, 2010)

A. Definitions

1. *Student Financial Aid Workers.* This code of conduct applies to any officer or employee of the University of Nebraska (hereinafter "University") who is employed in a financial aid office of this University or who otherwise has responsibilities with respect to education loans, or agent of the University who has responsibilities with respect to education loans. See 20 U.S.C. § 1094 (a)(25). All categories of University employees, including student employees, office and service staff, and professional employees are subject to this code.

2. *Education Loans.* For purposes of this code of conduct, "education loans" means all loans to students attending the University or to the families of such students which are made, insured or guaranteed under a federal financial aid program. See 20 U.S.C. § 1094 (e)(B)(i).

3. *Gift.* The term "gift" means any gratuity, favor, discount, entertainment, hospitality, loan, or other item having a monetary value of more than a *de minimus* amount. The term includes a gift of services, transportation, lodging, or meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. See 20 U.S.C. § 1094(e)(2)(B) (i).

Exceptions. The term "gift" shall not include any of the following:

(I) Standard material, activities, or programs on issues related to a loan, default aversion, default prevention, or financial literacy, such as a brochure, a workshop, or training. See 20 U.S.C. § 1094(e)(2)(B) (ii) (I).

(II) Food, refreshments, training, or informational material furnished to an officer or employee of the University, or to an agent, as an integral part of a training session that is designed to improve the service of a lender, guarantor, or servicer of education loans to the University if such training contributes to the professional development of the officer, employee, or agent. See 20 U.S.C. § 1094(e)(2)(B) (ii) (II).

(III) Favorable terms, conditions, and borrower benefits on an education loan provided to a student employed by the University if

such terms, conditions, or benefits are comparable to those provided to all students of the University. *See* 20 U.S.C. § 1094(e)(2)(B) (ii) (III)

(IV) Entrance and exit counseling services provided to borrowers to meet the University's responsibilities for entrance and exit counseling as required by 20 U.S.C. § 1092 (b)(1), as long as--

(aa) the University's staff are in control of the counseling, (whether in person or via electronic capabilities); and

(bb) such counseling does not promote the products or services of any specific lender. *See* 20 U.S.C. § 1094(e)(2)(B) (ii) (IV).

(V) Philanthropic contributions to the University from a lender, servicer, or guarantor of education loans that are unrelated to education loans or any contribution from any lender, guarantor, or servicer that is not made in exchange for any advantage related to education loans. *See* 20 U.S.C. § 1094(e)(2)(B) (ii) (V).

(VI) State education grants, scholarships, or financial aid funds administered by or on behalf of a State. *See* 20 U.S.C. § 1094(e)(2)(B) (ii) (VI).

(VII) A gift received from a relative, a breakfast, luncheon, dinner or other refreshment consisting of food and beverage provided for immediate consumption, occasional provision of transportation within the State of Nebraska, or item with an estimated retail value of less than ten dollars. *See* Neb. Rev. Stat. § 49-1423 (Reissue 2004), and National Association of Student Financial Aid Administrators (NASFAA), "Statement of Ethical Principles and Code of Conduct for Institutional Financial Aid Professionals" (May, 2007) ¶5, p. 6.

4. *Opportunity Pool Loan.* The term "opportunity pool loan" means a private education loan made by a lender to a student attending the institution or the family member of such a student that involves a payment, directly or indirectly, by the University of points, premiums, additional interest, or financial support to such lender for the purpose of such lender extending credit to the student or the family. *See* 20 U.S.C. § 1094(e)(5)(B).

5. *Revenue Sharing Arrangement.* The term “revenue-sharing arrangement” means an arrangement between the University and a lender under which--

(i) a lender provides or issues a loan that is made, insured, or guaranteed under a federally funded loan program to students attending the University or to the families of such students; and

(ii) the University recommends the lender or the loan products of the lender and in exchange, the lender pays a fee or provides other material benefits, including revenue or profit sharing, to the University, an officer or employee of the University, or an agent. *See* 20 U.S.C. § 1094 (e)(1)(B).

6. *University.* All institutions which compose the University of Nebraska, or other institutions which are under the control and management of the Board of Regents of the University of Nebraska. *See* Neb. Rev. Stat. §§ 85-102.01 and 85-121 (Reissue 2008).

#### B. Dissemination

1. This code of conduct shall be published prominently on the University of Nebraska website and the website of the Nebraska College of Technical Agriculture at Curtis, the University of Nebraska at Kearney, University of Nebraska-Lincoln, University of Nebraska Medical Center, and University of Nebraska at Omaha. *See* 20 U.S.C. § 1094(a)(25) (B).

2. All University student financial aid workers shall be annually informed of the provisions of this code of conduct. *See* 20 U.S.C. § 1094(a)(25) (C).

#### C. Prohibitions

1. *Ban on revenue-sharing arrangements.* The University shall not enter into any revenue-sharing arrangement with any lender. *See* 20 U.S.C. § 1094 (e)(1)(A).

2. *Gift ban.* Student financial aid workers shall not solicit or accept any gift from a lender, guarantor, or servicer of education loans. *See* 20 U.S.C. § 1094(e)(2)(A).

*Rule banning gifts to immediate family members.* *See* Regents Policy 3.2.8 on Conflict of Interest and Conflict of Commitment, § 2 for “immediate family” definition.

For purposes of this paragraph, a gift to a family member of student financial aid worker, or to any other individual based on



that individual's relationship with the student financial aid worker, shall be considered a gift to the student financial aid worker if--

(I) the gift is given with the knowledge and acquiescence of the student financial aid worker; and

(II) the student financial aid worker has reason to believe the gift was given because of the official position of the student financial aid worker. *See* 20 U.S.C. § 1094(e)(2)(B) (iii).

3. *Contracting arrangements prohibited.* A student financial aid worker shall not accept from any lender or affiliate of any lender any fee, payment, or other financial benefit (including the opportunity to purchase stock) as compensation for any type of consulting arrangement or other contract to provide services to a lender or on behalf of a lender relating to education loans. *See* 20 U.S.C. § 1094(e)(3)(A).

Exceptions. Nothing in this subsection shall be construed as prohibiting--

(i) an officer or employee of the University who is not employed in the University's financial aid office and who does not otherwise have responsibilities with respect to education loans, or an agent who does not have responsibilities with respect to education loans, from performing paid or unpaid service on a board of directors of a lender, guarantor, or servicer of education loans;

(ii) an officer or employee of the University who is not employed in the University's financial aid office but who has responsibility with respect to education loans as a result of a position held at the University, or an agent who has responsibility with respect to education loans, from performing paid or unpaid service on a board of directors of a lender, guarantor, or servicer of education loans, if the major administrative unit of the University has a written conflict of interest policy that clearly sets forth that officers, employees, or agents must recuse themselves from participating in any decision of the board regarding education loans at the University; or

(iii) an officer, employee, or contractor of a lender, guarantor, or servicer of education loans from serving on a board of directors, or serving as a trustee, of a body at a major administrative unit of the University, if the University major administrative unit has a written

conflict of interest policy that the board member or trustee must recuse themselves from any decision regarding education loans at the University. *See* 20 U.S.C. § 1094 (e)(3)(B).

4. *Interaction with borrowers.* The University shall not--

(A) for any first-time borrower, assign, through award packaging or other methods, the borrower's loan to a particular lender; or

(B) refuse to certify, or delay certification of, any loan based on the borrower's selection of a particular lender or guaranty agency. *See* 20 U.S.C. § 1094(e)(4).

5. *Ban on offers of private loans.* The University shall not request or accept from any lender any offer of funds to be used for private education loans (as defined in 15 U.S.C. § 1650), including funds for an opportunity pool loan, to students in exchange for the University providing concessions or promises regarding providing the lender with--

(i) a specified number of loans made, insured, or guaranteed under federally funded loan programs;

(ii) a specified loan volume of such loans; or

(iii) a preferred lender arrangement for such loans. *See* 20 U.S.C. § 1094 (e)(5)(A).

6. *Ban on staffing assistance.* The University shall not request or accept from any lender any assistance with call center staffing or financial aid office staffing. *See* 20 U.S.C. § 1094(e)(6) (A).

Exceptions. Nothing in the paragraph above shall be construed to prohibit the University from requesting or accepting assistance from a lender related to--

(i) professional development training for financial aid administrators;

(ii) providing educational counseling materials, financial literacy materials, or debt management materials to borrowers, provided that such materials disclose to borrowers the identification of any

lender that assisted in preparing or providing such materials; or

(iii) staffing services on a short-term, nonrecurring basis to assist the University with financial aid-related functions during emergencies, including State-declared or federally declared natural disasters, federally declared national disasters, and other localized disasters and emergencies identified by the Secretary. See 20 U.S.C. § 1094 (e)(6)(B).

7. *Advisory board compensation.* Any employee who is employed in a financial aid office of the University, or who otherwise has responsibilities with respect to education loans or other student financial aid of the University, and who serves on an advisory board, commission, or group established by a lender, guarantor, or group of lenders or guarantors, shall be prohibited from receiving anything of value from the lender, guarantor, or group of lenders or guarantors, except that the employee may be reimbursed for reasonable expenses incurred in serving on such advisory board, commission, or group. See 20 U.S.C. § 1094 (3)(7).

E. Enforcement

1. The President and Chancellor of each major administrative unit are responsible for assuring compliance with this code.

2. Student financial aid workers who are found to have violated provisions of this code may be subjected to disciplinary action, up to and including termination of employment.

conflict of interest\_code of conduct student financial aid