



## BOARD OF REGENTS

### MEETING AGENDA

November 18, 2016

Varner Hall Board Room

3835 Holdrege Street

Lincoln, NE, 68583-0745

**UNIVERSITY OF NEBRASKA  
BOARD OF REGENTS MEETING ITINERARY**

**FRIDAY, NOVEMBER 18, 2016**

9:00 a.m.

BOARD OF REGENTS MEETING

- Kudos Awards Presented
- Recognition for Regent Kent Schroeder

## NOTICE OF MEETING

Notice is hereby given that the Board of Regents of the University of Nebraska will meet in a publicly convened session on Friday, November 18, 2016, at 9:00 a.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska.

An agenda of subjects to be considered at said meeting, kept on a continually current basis, is available for inspection in the office of the Corporation Secretary of the Board of Regents, Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, or at <http://nebraska.edu/board/agendas-and-minutes.html>

A copy of this notice will be delivered to the Lincoln Journal Star, the Omaha World-Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, the Lincoln office of the Associated Press, members of the Board of Regents, and the President's Council of the University of Nebraska.

Dated: November 11, 2016



Carmen K. Maurer  
Corporation Secretary  
Board of Regents  
University of Nebraska

**AGENDA**  
**THE BOARD OF REGENTS**  
**OF THE UNIVERSITY OF NEBRASKA**  
**Varner Hall, 3835 Holdrege Street**  
**Lincoln, Nebraska 68583-0745**  
**Friday, November 18, 2016**  
**9:00 a.m.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON SEPTEMBER 16, 2016
- IV. KUDOS  
*Kayla James, University of Nebraska at Kearney*  
*Daniel Padgett, University of Nebraska Medical Center*  
*Elijah Luebbe, University of Nebraska-Lincoln*
- V. RESOLUTIONS  
*Recognition for Regent Kent Schroeder*
- VI. HEARINGS
- VII. 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.

- VIII. UNIVERSITY CONSENT AGENDA
  - A. ACADEMIC AFFAIRS
    - 1. President's Personnel Recommendation Addendum VIII-A-1
  - B. BUSINESS AFFAIRS
    - University of Nebraska
      - 1. Approve the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2017 through December 31, 2018 Addendum VIII-B-1
    - University of Nebraska-Lincoln
      - 2. Adopt a resolution authorizing IANR to complete an Institutional Account Agreement with R.J. O'Brien & Associates, LLC, of Chicago, IL, a registered futures commission merchant Addendum VIII-B-2
      - 3. Approve the sole source purchase of a Scanning Transmission Electron Microscope for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering Addendum VIII-B-3

4. Approve the sole source purchase of a 3D Metal Printer for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering Addendum VIII-B-4  
University of Nebraska Medical Center
5. Approve re-naming the Center for Leukemia and Lymphoma Research to the “Dr. James O. Armitage Center for Hematological Malignancies Research.” Addendum VIII-B-5
6. Approve naming the 8th Floor of the McGoogan Library of Medicine the “Wigton History of Medicine Archives.” Addendum VIII-B-6

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

1. Approve the addition of Regents Emeritus policy RP-1.2.6 to the *Policies of the Board of Regents* Addendum IX-A-1
2. Approve Regent Kent Schroeder as “Regent Emeritus” Addendum IX-A-2

B. BUSINESS AFFAIRS

Nebraska College of Technical Agriculture

1. Approve the Residence Hall Room and Board Rates for Academic Year 2017-18 at the Nebraska College of Technical Agriculture. Should the rate remain unchanged, approval of these rates shall apply to future academic years as well Addendum IX-B-1

University of Nebraska at Kearney

2. Approve the Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska at Kearney Addendum IX-B-2
3. Approve the sale of the University Heights and approve the establishment of seed funding for University Village with the sale proceeds Addendum IX-B-3

University of Nebraska Medical Center

4. Approve the exchange of real property located at 4103 Leavenworth currently owned by the Board of Regents with privately owned 4206 Leavenworth located at the northwest corner of 42nd and Leavenworth Streets Addendum IX-B-4
5. Approve the additional project budget to extend utilities connections to a Nebraska Medicine Integrated Services Center project Addendum IX-B-5
6. Approve the creation of a non-profit 501(c)(3) for UNMC technology transfer under the parent corporation of UTDC Addendum IX-B-6

University of Nebraska at Omaha

7. Approve the attached Resolution authorizing the expenditure of \$1,045,000 from the Bond Surplus/Replacement Funds to make student housing improvements Addendum IX-B-7

University of Nebraska-Lincoln

8. Approve the budget and replacement purchase and installation of the University of Nebraska-Lincoln Memorial Stadium video screens and ribbon boards in accordance with Regents Policy RP-6.2.1 Addendum IX-B-8
9. Approve the Funding Request and attached resolution authorizing expenditure of up to \$7,300,000 for the Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center at the University of Nebraska-Lincoln Addendum IX-B-9

C. FOR INFORMATION ONLY

1. University of Nebraska Strategic Planning Framework Addendum IX-C-1
2. University of Nebraska Strategic Framework Accountability Measures Addendum IX-C-2
3. Calendar of establishing and reporting accountability measures Addendum IX-C-3
4. University of Nebraska Strategic Dashboard Indicators Addendum IX-C-4

5. Board of Regents agenda items related to the University of Nebraska Strategic Framework Addendum IX-C-5

D. REPORTS

1. Strategic Framework report on Enrollment [1-b-i] and Nonresident Undergraduate Enrollment [3-c-i] Addendum IX-D-1
2. Headcount Enrollment and Student Credit Hour Report Addendum IX-D-2
3. Strategic Framework report on International Student Enrollment [3-d-ii] Addendum IX-D-3
4. Strategic Framework report on Nebraska Top 25% [3-b-i] Addendum IX-D-4
5. Expedited Approval of the Construction Engineering and Management Graduate Certificate in the Department of Construction Engineering and Management (CEMT) in the College of Engineering at the University of Nebraska-Lincoln Addendum IX-D-5
6. Renaming the Bachelor of Science in Clinical Laboratory Science to the Bachelor of Science in Medical Laboratory Science in the Division of Medical Laboratory Science in the College of Allied Health Professions at the University of Nebraska Medical Center Addendum IX-D-6
7. Renaming the Bachelor of Science in Radiation Science Technology to the Bachelor of Science in Medical Imaging and Therapeutic Sciences in the Department of Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at the University of Nebraska Medical Center Addendum IX-D-7
8. Quarterly Status of Capital Construction Projects Addendum IX-D-8
9. Bids and Contracts Addendum IX-D-9
10. Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska-Lincoln Addendum IX-D-10
11. Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska at Omaha Addendum IX-D-11
12. University of Nebraska-Lincoln Othmer-Topp Endowment Fund Report Addendum IX-D-12
13. Board of Regents Othmer-Topp Endowment Fund Report Addendum IX-D-13
14. Naming of the new UNO Mixed-Use Housing Facility “Scott Crossing” and Housing Rates for the 2017-18 Academic Year at UNO for Scott Hall and Scott Crossing Addendum IX-D-14
15. Revisions to rules and regulations for faculty and student self-government organizations: Fall 2015 Amendments to the *Bylaws of the Hixson-Lied College of Fine and Performing Arts* at the University of Nebraska-Lincoln Addendum IX-D-15
16. Revisions to rules and regulations for faculty and student self-government organizations: Fall 2016 Amendments to the *Bylaws of the Hixson-Lied College of Fine and Performing Arts* at the University of Nebraska-Lincoln Addendum IX-D-16

X. ADDITIONAL BUSINESS

## **VIII. UNIVERSITY CONSENT AGENDA**

### **A. ACADEMIC AFFAIRS**

1. President's Personnel Recommendation Addendum VIII-A-1

### **B. BUSINESS AFFAIRS**

#### University of Nebraska

1. Approve the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2017 through December 31, 2018 Addendum VIII-B-1

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**The President's Personnel Recommendation**

Meeting Date: November 18, 2016

**University of Nebraska-Lincoln**

New Appointment

Michael J. Boehm, Harlan Vice Chancellor (Special) Institute of Agriculture and Natural Resources, Vice President (Special) Agriculture and Natural Resources, Professor (Continuous) Plant Pathology; effective 01/01/2017, \$330,000, FY, 1.00 FTE. Salary includes named Professorship within the Institute for \$15,000.

TO: The Board of Regents Addendum VIII-B-1

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Ak-Sar-Ben Future Trust Membership

RECOMMENDED ACTION: Approve the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2017 through December 31, 2018

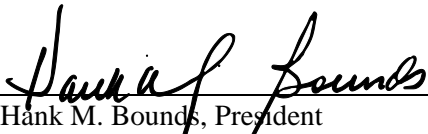
PREVIOUS ACTION: November 20, 2014 – The Board of Regents approved the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2015 through December 31, 2016.

August 7, 2004 B The Board approved the appointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as a representative of the University of Nebraska for a term of two years.

February 22, 1997 - Pursuant to the Amended and Restated Articles of Incorporation of the Ak-Sar-Ben Future Trust, President L. Dennis Smith appointed and the Board of Regents approved Nancy L. O'Brien to serve on the Future Trust Board of Directors.

EXPLANATION: Under the Articles of Incorporation of the Ak-Sar-Ben Future Trust, the Board of Regents is designated one seat on the Future Trust Board of Directors. Regent Howard Hawks has served as the Board's appointed member since 2004. Upon consideration by the Executive Committee of the Board of Regents, it is recommended that the Board approve the appointment of Howard L. Hawks as the University member of this board for a term of two years commencing January 1, 2017 through December 31, 2018.

RECOMMENDED:

  
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 24, 2016

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

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Resolution authorizing Institute of Agriculture and Natural Resources (IANR) to complete an Institutional Account Agreement with R.J. O'Brien & Associates, LLC, of Chicago, IL, a registered futures commission merchant

RECOMMENDED ACTION: Adopt a resolution authorizing IANR to complete an Institutional Account Agreement with R.J. O'Brien & Associates, LLC, of Chicago, IL, a registered futures commission merchant

PREVIOUS ACTION: February 19, 1994 - The Board of Regents passed a resolution that authorized the University administration to enter into an agreement with Bradford & Co., Incorporation of Los Angeles, CA for commodities futures contract brokerage services associated with the IANR hedging program.

April 11, 1987 - The Board approved an agreement with Gateway Financial, Ltd., of Chicago, IL, for brokerage services associated with the IANR hedging program and approved a Corporation Account Agreement and Resolution.

March 19, 1983 - The Board authorized IANR to hedge livestock and crops for all Agricultural Research Division (ARD) revolving fund operations.

November 13, 1981 - The Board authorized IANR to hedge research cattle on a pilot basis at the University of Nebraska Panhandle Research and Extension Center.

EXPLANATION: R.J. O'Brien & Associates, LLC, responding to regulatory requirements, has requested completion of a form application and agreement and resolution authorizing commodity and livestock trading for all corporate accounts. Completion of this Institutional Account Agreement simply updates our existing customer information on file. IANR has been hedging commodities to reduce commodity risk for many years and has been doing business with the O'Brien firm for over fifteen years.

Through this account IANR utilizes futures contracts for crop and livestock commodities produced to hedge positions traded on commodities exchange markets in the United States. The futures contracts lock in prices for products that mitigate the risk of market price fluctuations to the extent possible. Speculation is not allowed. Any funds required under this Agreement will be taken from or deposited in University revolving funds.

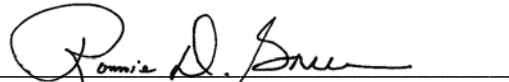
The resolution was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: N/A

SOURCE OF FUNDS: Revolving Funds

SPONSOR: Ronald E. Yoder  
Interim Vice President of Agriculture and Natural Resources  
Interim Vice Chancellor for Institute of Agriculture and Natural Resources

RECOMMENDED:

A handwritten signature in black ink, appearing to read "Ronnie D. Green", is written over a horizontal line.

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016



# Institutional Account Agreement

## Account Funding:

- A. A **bank wire** to the Harris Trust & Savings Bank of Chicago for the account of R.J. O'Brien, Customer segregated account 367-171-6. The ABA routing, if necessary, is 071-000-288. (Be sure to include your name as it appears on your account agreement and also your complete account number.)
- B. **TRANSFER of funds and/or existing positions to** your account from another firm. When transferring an account, please fill out the Account Transfer Form in the back of this booklet, return it to RJO with all other required documents and we will apply positions and funds to your account accordingly.

Rev. 2/2016R

## **RISK DISCLOSURE STATEMENT**

The risk of loss in trading commodity futures contracts can be substantial. You should, therefore, carefully consider whether such trading is suitable for you in light of your circumstances and financial resources. You should be aware of the following points:

(1) You may sustain a total loss of the funds that you deposit with your broker to establish or maintain a position in the commodity futures market, and you may incur losses beyond these amounts. If the market moves against your position, you may be called upon by your broker to deposit a substantial amount of additional margin funds, on short notice, in order to maintain your position. If you do not provide the required funds within the time required by your broker, your position may be liquidated at a loss, and you will be liable for any resulting deficit in your account.

(2) The funds you deposit with a futures commission merchant for trading futures positions are not protected by insurance in the event of the bankruptcy or insolvency of the futures commission merchant, or in the event your funds are misappropriated.

(3) The funds you deposit with a futures commission merchant for trading futures positions are not protected by the Securities Investor Protection Corporation even if the futures commission merchant is registered with the Securities and Exchange Commission as a broker or dealer.

(4) The funds you deposit with a futures commission merchant are generally not guaranteed or insured by a derivatives clearing organization in the event of the bankruptcy or insolvency of the futures commission merchant, or if the futures commission merchant is otherwise unable to refund your funds. Certain derivatives clearing organizations, however, may have programs that provide limited insurance to customers. You should inquire of your futures commission merchant whether your funds will be insured by a derivatives clearing organization and you should understand the benefits and limitations of such insurance programs.

(5) The funds you deposit with a futures commission merchant are not held by the futures commission merchant in a separate account for your individual benefit. Futures commission merchants commingle the funds received from customers in one or more accounts and you may be exposed to losses incurred by other customers if the futures commission merchant does not have sufficient capital to cover such other customers' trading losses.

(6) The funds you deposit with a futures commission merchant may be invested by the futures commission merchant in certain types of financial instruments that have been approved by the Commission for the purpose of such investments. Permitted investments are listed in Commission Regulation 1.25, 17 C.F.R. § 1.25 (2016), and include: U.S. government securities; municipal securities; money market mutual funds; and certain corporate notes and bonds. The futures commission merchant may retain the interest and other earnings realized from its investment of customer funds. You should be familiar with the types of financial instruments that a futures commission merchant may invest customer funds in.

(7) Futures commission merchants are permitted to deposit customer funds with affiliated entities, such as affiliated banks, securities brokers or dealers, or foreign brokers. You should inquire as to whether your futures commission merchant deposits funds with affiliates and assess whether such deposits by the futures commission merchant with its affiliates increases the risks to your funds.



(8) You should consult your futures commission merchant concerning the nature of the protections available to safeguard funds or property deposited for your account.

(9) Under certain market conditions, you may find it difficult or impossible to liquidate a position. This can occur, for example, when the market reaches a daily price fluctuation limit (“limit move”).

(10) All futures positions involve risk, and a “spread” position may not be less risky than an outright “long” or “short” position.

(11) The high degree of leverage (gearing) that is often obtainable in futures trading because of the small margin requirements can work against you as well as for you. Leverage (gearing) can lead to large losses as well as gains.

(12) In addition to the risks noted in the paragraphs enumerated above, you should be familiar with the futures commission merchant you select to entrust your funds for trading futures positions. The Commodity Futures Trading Commission requires each futures commission merchant to make publicly available on its Web site firm specific disclosures and financial information to assist you with your assessment and selection of a futures commission merchant. Information regarding this futures commission merchant may be obtained by visiting our Web site, <https://www.rjobrien.com/about/firmdisclosures>.

**ALL OF THE POINTS NOTED ABOVE APPLY TO ALL FUTURES TRADING WHETHER FOREIGN OR DOMESTIC. IN ADDITION, IF YOU ARE CONTEMPLATING TRADING FOREIGN FUTURES OR OPTIONS CONTRACTS, YOU SHOULD BE AWARE OF THE FOLLOWING ADDITIONAL RISKS:**

(13) Foreign futures transactions involve executing and clearing trades on a foreign exchange. This is the case even if the foreign exchange is formally “linked” to a domestic exchange, whereby a trade executed on one exchange liquidates or establishes a position on the other exchange. No domestic organization regulates the activities of a foreign exchange, including the execution, delivery, and clearing of transactions on such an exchange, and no domestic regulator has the power to compel enforcement of the rules of the foreign exchange or the laws of the foreign country. Moreover, such laws or regulations will vary depending on the foreign country in which the transaction occurs. For these reasons, customers who trade on foreign exchanges may not be afforded certain of the protections which apply to domestic transactions, including the right to use domestic alternative dispute resolution procedures. In particular, funds received from customers to margin foreign futures transactions may not be provided the same protections as funds received to margin futures transactions on domestic exchanges. Before you trade, you should familiarize yourself with the foreign rules which will apply to your particular transaction.

(14) Finally, you should be aware that the price of any foreign futures or option contract and, therefore, the potential profit and loss resulting therefrom, may be affected by any fluctuation in the foreign exchange rate between the time the order is placed and the foreign futures contract is liquidated or the foreign option contract is liquidated or exercised.

**THIS BRIEF STATEMENT CANNOT, OF COURSE, DISCLOSE ALL THE RISKS AND OTHER ASPECTS OF THE COMMODITY MARKETS.**

I hereby acknowledge that I have received and understood this risk disclosure statement.

If Corporation, Partnership, or other entity: (All General Partners must sign.)

X \_\_\_\_\_ Corporate Secretary  
Signature Title

\_\_\_\_\_  
Date

X \_\_\_\_\_  
Signature Title

\_\_\_\_\_  
Date

## PRIVACY POLICY

R.J. O'Brien believes in respecting the privacy and security of your personal information. Please read this Privacy Policy carefully.

We do not disclose any nonpublic personal information about our customers or former customers to anyone, except as permitted by law.

### **Collection of Information**

We collect nonpublic personal information about you from the following sources:

- Information we receive from you on applications or other forms;
- Information about your transactions with us, our affiliates or others; and
- Information we receive from a consumer reporting agency.

### **Information Sharing with Nonaffiliated Third Parties as Permitted by Law**

We are permitted by law to share all the information we collect, as described above, with (1) companies that perform marketing services on our behalf and (2) other third parties that assist us with preparing and processing orders and statements.

### **Confidentiality and Security**

We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic and procedural safeguards that are designed to protect your nonpublic information.

**INSTITUTIONAL ACCOUNT APPLICATION  
CORPORATE/PARTNERSHIP/TRUST/OMNIBUS**

FOR OFFICE USE ONLY

Office/ Sales Code/ Account \_\_\_\_\_

Commission \_\_\_\_\_

Sales Rep Approving / Date \_\_\_\_\_

**FORM TO BE COMPLETED BY CUSTOMER**

Name Board of Regents of the University of Nebraska

Street 3835 Holdrege Street

City Lincoln

State NE

Zip Code 68583-0743

Attention: IANR Finance & Personnel Office

Contact Person Jeff Bassford

Telephone 402-472-1426

Email Address financeandpersonnel@unl.edu

The net worth of the Corporation/Partnership is \$ 3,365,823,000 as of June 30, 2015

Please enclose your most recent financial statement. [www.nebraska.edu/administration/business-and-finance/accounting-and-finance](http://www.nebraska.edu/administration/business-and-finance/accounting-and-finance)

**TYPE OF ACCOUNT:**

Omnibus

Domestic Foreign

Corporate/LLC Date Incorporated 15 February 1869

Partnership

General Limited

**IS THIS ACCOUNT A HEDGER?**

No  Yes

**Related Accounts** (any other account in which the customer has a financial interest or which is directly or indirectly controlled by the same entity)

No  Yes

Federal Tax Identification Number 47 - 0049123

**BANKING RELATIONSHIP :**

Name of Bank Wells Fargo

Name of Bank Official Monica Balters

Telephone 402-434-4241

Email Address monica.l.balters@wellsfargo.com

Address 1248 O Street, Lincoln, NE 68508

Bank Account Number(s) 7930999868

Has the entity traded Commodity Futures/Options previously?  Yes No If yes, please name all brokerage houses currently in use or previously used: Gateway Financial, Ltd; Bradford & Co.

Are you registered with the Commodity Futures Trading Commission / NFA? Yes  No If yes, specify:  
Futures Commission Merchant Commodity Pool Operator Trading Advisor Introducing Broker

Are you a member of any commodity futures exchange? Yes  No If yes, please list

Has the entity been a party in a bankruptcy or any similar proceeding? Yes  No If yes, please describe briefly: \_\_\_\_\_

Has the entity or beneficial owners ever been the subject of or initiated litigation, arbitration or any other type of dispute or settlement procedure with another broker or dealer? Yes  No If yes, please describe briefly: \_\_\_\_\_

If there is any other information which could be considered materially adverse to your financial condition, please give details (attach additional sheet).

I hereby authorize R. J. O'Brien & Associates, LLC to contact such banks, financial institutions, brokers or dealers or such other persons as it shall deem appropriate for verification of the matters contained in the Account Application or as may be relevant in its evaluation of the undersigned financial condition.

DATE \_\_\_\_\_

SIGNATURE X \_\_\_\_\_

VICE CHANCELLOR  
TITLE BUSINESS AND FINANCE

## 1. Account Status

This Account Agreement (“**Agreement**”) sets forth the terms and conditions upon which R.J. O’Brien & Associates, LLC (“R.J. O’Brien”) will accept and maintain for the undersigned customer (“**Customer**”) one or more accounts (the “**Account**”) and act as broker or dealer for Customer in the execution and clearance of orders for transactions (whether domestic or foreign) involving the purchase and sale of futures contracts; options on futures contracts; commodities and forward contracts, security futures contracts (“**SSF**”); option, spot and forward foreign exchange transactions; exchange for physicals (“**EFPs**”); and any other cash transaction or derivative, or any similar instruments which may be purchased, sold or cleared by or through a Futures Commission Merchant (“**FCM**”) (individually, a “**Contract**” and collectively, “**Contracts**”). Customer hereby represents that all responses made in connection with the Account Application and this Agreement are complete and correct in all material respects, and that R.J. O’Brien will be informed of any material change in such data, including financial information.

## 2. Applicable Law

The Account and each Contract shall be subject to the terms and conditions of this Agreement and to (a) all applicable laws and the rules, regulations, rulings, orders, directives and interpretations (collectively, as amended and supplemented from time to time, the “**Regulations**”) of any governmental, including the Commodity Futures Trading Commission (“**CFTC**”), or regulatory authority or any self-regulatory organization having jurisdiction, and (b) the constitution, by-laws, rules, regulations, orders, resolutions, interpretations and customs and usages (collectively, the “**Rules**” and together with Regulations, “**Applicable Law**”) of the market and any associated clearing organization (each, an “**Exchange**”) on or subject to the Rules of which such transaction is executed and/or cleared. The reference in the preceding sentence to Exchange Rules is solely for the protection of R.J. O’Brien and the failure of R.J. O’Brien to comply therewith shall not constitute a breach of this Agreement or relieve the Customer of any obligation or responsibility under this Agreement. R.J. O’Brien shall not be liable to the Customer as a result of any action by R.J. O’Brien or any of its officers, directors, employees or agents to comply with any Rule or Regulation. The Customer acknowledges and agrees that R.J. O’Brien may, in its sole discretion, and without prior notice to or the consent of the Customer, revise the terms of this Agreement as a result of any change in the Rules or Regulations.

## 3. Margins

Customer agrees at all times to maintain such margin in Customer’s Account(s) as R.J. O’Brien may from time to time (in its sole discretion) require. With respect to every Contract purchased, sold or cleared for the Account, Customer shall make, or cause to be made, all applicable initial margin, variation margin, intra-day margin and premium payments, and perform all other obligations attendant to Contracts or positions in such Contracts, as such payments or performance may be required by R.J. O’Brien, including by wire of immediately available funds, consistent with Applicable Law or as such payments or performance may be required of R.J. O’Brien by any member of any Exchange clearing such Contract on R.J. O’Brien’s behalf. Market conditions permitting, R.J. O’Brien agrees to make reasonable efforts to notify Customer of margin calls and/or deficiencies, either orally or in writing, and to allow a reasonable period for Customer to provide funds.

R.J. O’Brien may require margin in excess of that required by Applicable Law, Exchange or clearinghouse minimums. Customer acknowledges that R.J. O’Brien has no obligation to establish uniform margin requirements among products or customers, that margins required by R.J. O’Brien may exceed the minimum margin requirements of the applicable Exchange or clearinghouse, and that margin requirements may be increased or decreased from time to time in R.J. O’Brien’s discretion, without advance notice to Customer.

Customer acknowledges that R.J. O’Brien is hereby authorized, for its account and benefit, from time to time and without notice to Customer, either separately or with others, to lend, repledge, hypothecate or rehypothecate, either to itself or to others, any and all property (including but not limited to securities, commodities warehouse receipts or other negotiable instruments) held by Customer in any of its accounts and R.J. O’Brien shall not at any time be required to deliver to Customer such identical property but may fulfill its obligation by delivery of property of the same kind and amount.

## 4. Customer Representations and Warranties

Customer represents and warrants that:

- (a) Customer has all requisite rights, powers, capacity and authority to enter into this Agreement and the transactions contemplated hereunder, and that the persons executing this Agreement and each person entering orders or giving instructions on behalf of Customer has all requisite authority to do so;
- (b) Customer may lawfully establish and open accounts with R.J. O’Brien for the purpose of effecting transactions in Contracts;
- (c) Obligations assumed by Customer pursuant to this Agreement are legal, valid and binding upon Customer and enforceable against Customer in accordance with the terms hereof;

(d) Customer is not in receivership, involved in a proceeding under applicable bankruptcy law or subject to an assignment for the benefit of creditors;

(e) Transactions effected pursuant to this Agreement will not violate Applicable Law or other agreement to which Customer is a party;

(f) Customer has the unqualified right to margin its account(s) with R.J. O'Brien as required by this Agreement, and such margin funds are beneficially owned by Customer free and clear of any mortgage, lien, claim, or other encumbrance; and

(g) Since the date of Customer's most recent audited or unaudited financial statements, there has been no material adverse change in the business, financial condition, results, operations or prospects of Customer and Customer warrants that it will advise R.J. O'Brien of any such change and will provide R.J. O'Brien with updated financial information from time to time upon R.J. O'Brien's reasonable request.

Customer agrees to promptly notify R.J. O'Brien in writing if any of the representations and warranties contained in this Section 4 becomes inaccurate or in any way ceases to be true, complete and correct. The Customer also agrees to provide to R.J. O'Brien all requested financial and other relevant information that R.J. O'Brien may request from time to time. R.J. O'Brien shall be entitled to rely on all documents and information provided by the Customer hereunder until it receives written notice of any change thereof, which the Customer agrees to furnish promptly should any material changes occur.

## 5. Customer Default

As used herein, each of the following shall be an "**Event of Default**": (a) Customer defaults on any obligations to R.J. O'Brien hereunder or otherwise in respect of any transaction or agreement (the "**Obligations**"); (b) Customer fails to deposit or maintain required margin, fails to pay required premiums or fails to make any other payments required hereunder or otherwise in respect of any Contract; (c) any representation made by Customer hereunder is not or ceases to be accurate and complete in any material respect; (d) a case in bankruptcy is commenced or a proceeding under any insolvency or other law for the protection of creditors or for the appointment of a receiver, trustee or similar officer is filed by or against Customer and such case is not dismissed within 15 days, or Customer fails to pay its debts generally as they become due or Customer makes or proposes to make any arrangement or composition for the benefit of its creditors, or Customer or any of its property is subject to any agreement, order or judgment providing for Customer's dissolution, liquidation or reorganization, or for the appointment of a receiver, trustee or similar officer of Customer or such property; (e) there is a material adverse change in Customer's financial condition; (f) any warrant or order of attachment is issued against any Account or a judgment is levied against any Account; or (g) when R.J. O'Brien reasonably considers it necessary for its protection.

Upon the occurrence of an Event of Default, R.J. O'Brien shall have the right, without limitation, to (i) liquidate or close out any or all of Customer's open Contracts, in whole or in part, by any reasonable method; (ii) cancel any or all of Customer's outstanding orders; (iii) treat any or all of Customer's obligations due R.J. O'Brien as immediately due and payable; (iv) set off any Obligations of R.J. O'Brien to Customer against any obligations of Customer to Collateral or the proceeds of the sale of any Collateral to satisfy R.J. O'Brien; (v) sell any Collateral and/or set off and apply any Obligations of Customer to R.J. O'Brien; (vi) borrow or buy any options, securities, Contracts or other property for any Account; (vii) terminate any or all of R.J. O'Brien's obligations for future performance to Customer and/or (viii) take any other action that a secured party may take to the greatest extent permitted by Applicable Law. So long as R.J. O'Brien's rights or position would not be jeopardized thereby, R.J. O'Brien shall make a good faith effort to notify Customer of its intention to take any of the actions specified in (i) through (viii) above before taking any such action, provided that R.J. O'Brien shall not be deemed to have breached any Obligation to Customer if no such notice is given. Any sale or purchase hereunder may be made in any manner determined by R.J. O'Brien to be commercially reasonable. It is understood that, in all cases, a prior demand or notice shall not be considered a waiver of R.J. O'Brien's right to take any action provided for herein and that Customer shall be liable for the payment of any deficiency remaining in each Account after any such action is taken, together with interest thereon and all costs relating to liquidation and collection (including reasonable attorneys' fees).

## 6. Security

As security for the payment or performance of all obligations to R.J. O'Brien or any of its affiliates now or hereafter existing (collectively, the "R.J. O'Brien Entities") presently outstanding or to be incurred under this or any other agreement or otherwise, Customer grants the R.J. O'Brien Entities a security interest in and right of setoff against any and all property belonging to Customer or in which Customer may have an interest, and the proceeds thereof (collectively, the "**Collateral**"), held by any R.J. O'Brien Entity or carried in any account of Customer with any R.J. O'Brien Entity, or which are, or may become, due to Customer or to any of the R.J. O'Brien Entities for any of Customer's accounts (including amounts from any exchange or clearing broker in respect of any Contracts) and all rights Customer may have against any of the R.J. O'Brien Entities. The Collateral shall be subject to such security interest and right of setoff to discharge all obligations of Customer to any of the R.J. O'Brien Entities, wherever or however arising and without regard to whether or not any R.J. O'Brien Entity has made loans with respect to such Collateral.

The R.J. O'Brien Entities are authorized to sell and/or purchase any and all property in any account or to liquidate open Contracts or redeem money market or cash deposit investments in any account of Customer without notice in order to satisfy such obligations. In enforcing its security interest, the R.J. O'Brien Entities shall have the discretion to determine the amount, order and manner of property to be sold and shall have all the rights and remedies available to a secured party under Applicable Law. Without the consent of R.J. O'Brien, Customer will not cause or allow any of the Collateral held in any Customer account, whether now owned or hereafter acquired, to be or become subject to liens, security interests, mortgages or encumbrances of any nature other than the security interest in favor of the R.J. O'Brien Entities. Customer acknowledges that R.J. O'Brien and each of its affiliates act as agents for each other in respect of the Collateral subject to the security interest, lien and right of setoff described above.

## **7. Debit Balances, Commissions, Fees and Other Costs**

Customer agrees to pay (i) the amount of any trading loss, debit balance or deficiency in any of Customer's Accounts; (ii) all commissions, fees and other costs incurred in connection with Contracts executed, carried and/or cleared by R.J. O'Brien, including but not limited to, introducing broker and floor brokerage, clearing, exchange and National Futures Association ("NFA") fees; (iii) all regulatory, Exchange and other self-regulatory fees, fines, penalties and charges, and any taxes, incurred or imposed with respect to Contracts or other transactions in or for Customer's Accounts and (iv) any other service-related fees charged to Customer's Account, including, but not limited to, wire transfer fees, statement fees and transaction fees. In the event that Customer's Account is transferred to another broker, transfer commissions and/or service fees may be charged.

Any interest accrued in any Account on excess cash balances shall be retained by R.J. O'Brien unless otherwise agreed to in writing. Subject to the foregoing, R.J. O'Brien shall be under no obligation to pay or account to Customer for any interest income or benefits that may be derived from or use of client monies, reserves, deposits, cash equivalents or any other property. If Customer does not promptly pay a debit in Customer's Account (s) and R.J. O'Brien deems it necessary to take collection action, Customer will hold R.J. O'Brien harmless for all losses and expenses and will reimburse R.J. O'Brien for the debit and all costs incurred, including reasonable attorneys' fees, in connection with such collection actions. Customer agrees to pay interest on debits at the rate customarily charged by R.J. O'Brien.

R.J. O'Brien is authorized to transfer among Customer's regulated Account and any of Customer's other account(s), including foreign exchange account(s) and non-regulated accounts(s) and vice versa, such excess funds as may be required for any reason R.J. O'Brien deems appropriate in R.J. O'Brien's sole and absolute discretion.

## **8. Foreign Exchange Risk**

If Customer directs R.J. O'Brien to enter into any transaction which is effected in a foreign currency or if funds provided by Customer involve the use of a foreign currency, any profit or loss arising as a result of a fluctuation in the exchange rate affecting such currency will be entirely for Customer's account and risk. All initial and subsequent deposits for margin purposes shall be made in U.S. dollars, unless otherwise requested in writing by Customer, and written approval from R.J. O'Brien is obtained. R.J. O'Brien is authorized to convert funds in Customer's account (s) into and from the relevant foreign currency at the rate of exchange, plus appropriate fees, obtained from R.J. O'Brien or R.J. O'Brien's banker.

## **9. Positions and Deliveries**

Customer acknowledges Customer's reporting obligations (regarding certain sized positions) under CFTC Regulations, including the obligation to complete Form 40 upon request by the CFTC. Customer acknowledges that the making or accepting of delivery pursuant to a futures contract may involve a much higher degree of risk than liquidating a position by offset. R.J. O'Brien has no control over and makes no warranty with respect to grade, quality, or tolerances of any commodity delivered in fulfillment of a contract. Customer understands that, unless the contract specifications state to the contrary, every futures contract contemplates delivery and Customer shall promptly advise R.J. O'Brien if Customer intends to make or take delivery. When Customer intends to take delivery, Customer shall deposit with R.J. O'Brien the full value of the commodity at least one (1) business day prior to the first notice day and, in the case of short positions, at least four (4) business days prior to last trading day. Alternatively, sufficient funds to take delivery or the necessary documents must be in the possession of R.J. O'Brien within the same periods described above. If R.J. O'Brien does not receive the aforementioned instructions, funds or documents, R.J. O'Brien is authorized, at its discretion, to borrow or buy any property necessary to honor such obligation, and customer shall pay and indemnify R.J. O'Brien for any costs, losses, penalties or damages (including, but not limited to delivery and storage costs) which R.J. O'Brien may incur in fulfilling this responsibility.

Customer agrees that R.J. O'Brien, at its discretion, may establish trading limits for Customer's account and may limit the number of open positions (net or gross) which Customer may execute, clear, and/or carry with or acquire through it. Customer agrees (i) not to make any trade which would have the effect of exceeding such limits, (ii) that R.J. O'Brien may require Customer to reduce open positions carried with R.J. O'Brien, and (iii) that R.J. O'Brien may refuse to accept orders to establish new positions in excess of such limits. R.J. O'Brien may impose and enforce such limits, reduction, or refusal whether or not they are required by Applicable Law. Customer shall comply with all position limits established by Applicable Law or any Exchange. In addition, Customer agrees to

notify R.J. O'Brien promptly if Customer is required to file position reports with any regulatory or self-regulatory organization or with any exchange and agrees to provide R.J. O'Brien with copies of any such report. R.J. O'Brien expressly disclaims any liability for Customer's losses related to Customer's exceeding applicable limits.

Approval for hedge margins does not exempt an account from speculative positions limits. To be exempt from speculative position limits requires application and approval of a hedge exemption from the CFTC and the Contract's respective Exchange.

## **10. Options**

Customer recognizes that Customer is fully responsible for taking action to exercise an option Contract. R.J. O'Brien shall not be required to take any action with respect to an option contract, including any action to exercise a valuable option prior to its expiration date, except upon express instructions from Customer. Further, Customer understands that exchanges have established exercise cut-off times for the tender of exercise instructions, and that Customer's options may become worthless in the event that Customer does not provide instructions promptly.

## **11. Limitation of Liability of R.J. O'Brien**

Customer authorizes R.J. O'Brien to purchase and sell Contracts, in accordance with Customer's oral or written instructions. In executing transactions on an exchange, R.J. O'Brien will not be responsible to Customer for negligence or misconduct of an independent floor broker selected by R.J. O'Brien with commercially reasonable care.

R.J. O'Brien, including its officers, directors, employees and agents, shall not be responsible for any loss, liability, damage or expense except to the extent that such loss, liability, damage or expense arises from its gross negligence or willful misconduct. Customer shall have no claim against R.J. O'Brien for any loss, damage, liability, cost, charge, expense, penalty, fine, or tax arising directly or indirectly (a) in connection with the performance or non-performance by any Exchange, contract market, clearing organization, clearing firm or other third party (including custodians and banks) of such entity's obligations in respect of any Contract or other property of Customer's; or (b) as a result of any delay in the performance or non-performance of any of R.J. O'Brien obligations hereunder caused directly or indirectly by the occurrence of any contingency beyond the control of R.J. O'Brien including, but not limited to, the unscheduled closure of any exchange or contract market or any delay in the transmission of any orders due to breakdowns or failures of any transmission, trading or communication system.

IN NO EVENT WILL R.J. O'BRIEN OR ANY OF ITS SERVICE PROVIDERS BE LIABLE TO CUSTOMER FOR CONSEQUENTIAL, INCIDENTAL OR SPECIAL DAMAGES, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

## **12. Research, Analyses and Investment Advice**

If Customer receives any research, analyses or investment advice (collectively, "**Advice**") from R.J. O'Brien, Customer hereby acknowledges and agrees: (a) R.J. O'Brien will be providing such Advice incidentally to its business as a futures commission merchant; (b) although such Advice will be based upon information obtained from sources which R.J. O'Brien believes to be reliable, that information may nonetheless be incomplete and/or unverified, and hence R.J. O'Brien can make no representation, nor provide any assurance, as to the accuracy or completeness of its Advice; (c) both R.J. O'Brien's Advice and the information upon which it is based may change without notice to Customer; and (d) R.J. O'Brien and its directors, officers, employees, agents, affiliates and other customers may take or hold positions in, or advise other customers concerning Contracts that are the subject of R.J. O'Brien's Advice to Customer, and such positions and advice may be inconsistent with, or contrary to, the Advice given by R.J. O'Brien to Customer.

## **13. Order Entry and Processing**

Absent a separate written agreement with Customer regarding give-ups, R.J. O'Brien, in its sole discretion, may but shall not be obligated to accept Contracts from other brokers executed for clearance and carrying in the Accounts. If R.J. O'Brien and Customer enter into a separate written give-up agreement, this Agreement will control in the event of a conflict between this Agreement and such give-up agreement.

Customer hereby agrees that R.J. O'Brien, its directors, officers, employees, affiliates, agents and, floor brokers, acting on R.J. O'Brien's behalf, in any transaction for the Account(s) may take the other side of the transaction, or may engage in pre-execution discussions in connection with block trades, all subject to the transaction being executed in accordance with Applicable Law. Customer agrees to the extent any consent is given herein, such consent shall be deemed to renew annually if required by Applicable Law.



#### **14. Electronic Order Entry**

R.J. O'Brien offers certain Internet-based, electronic order entry platforms for the purpose of facilitating the entry of customer orders trading in Contracts ("RJO Platform (s)"). Customer understands that while the Internet and the World Wide Web generally are dependable, technical problems or other conditions may delay or prevent Customer from entering or canceling an order on an RJO Platform, or likewise may delay or prevent R.J. O'Brien from executing an order on an RJO Platform. R.J. O'Brien shall not be liable for, any technical problems, system failures and malfunctions, communication line failures, equipment or software failures or malfunctions, system access issues, system capacity issues, high Internet traffic demand, security breaches and unauthorized access beyond the reasonable control of R.J. O'Brien, or other similar computer problems and defects relating to an RJO Platform. R.J. O'Brien does not represent, warrant or guarantee that Customer will be able to access or use an RJO Platform at times or locations of Customer's choosing, or that R.J. O'Brien will have adequate capacity for an RJO Platform as a whole or in part by R.J. O'Brien's or Customer's use of or reliance on an RJO Platform or its content or in otherwise performing its obligations under or in connection with this Agreement. R.J. O'Brien reserves the right to suspend service and deny access to any RJO Platform without prior notice during scheduled or unscheduled system maintenance or upgrading.

In the event that Customer is unable to transmit an order through an RJO Platform, or is unable to confirm that an electronic order has been received by R.J. O'Brien, Customer must contact R.J. O'Brien at (877) 396-9316 or (312) 373-4955 and notify R.J. O'Brien of the exact nature of the problem including, but not limited to, the details of the order (including the contract, quantity and whether the order was to buy or sell). Customer agrees that any order placed through this number shall be for liquidation of existing positions only. Customer agrees that when following these procedures, Customer shall be liable for any losses arising out of any order that has previously been transmitted by electronic means, as well as the order placed orally through R.J. O'Brien or Customer's Introducing Broker.

#### **15. Reports and Notices**

All written and oral reports related to the Accounts, including, but not limited to, confirmations and purchase and sale statements, provided to Customer shall be conclusive and binding on Customer unless Customer notifies R.J. O'Brien of any objection as follows: (a) in the case of any oral communication, at the time such report is given to Customer; and (b) in the case of any written communication, as soon as practicable but in any case no later than before the opening of trading on the business day following the day on which Customer received such communication.

Any trade not specifically authorized by Customer must be promptly reported by Customer directly to R.J. O'Brien's Compliance Department. Customer will be financially responsible for all trades not so reported.

#### **16. Tape Recording**

Customer hereby authorizes R.J. O'Brien to make recordings of telephone conversations between Customer and R.J. O'Brien regardless of whether a periodic tone signal is used. Customer consents to the use of such tape recording in any forum in connection with resolving disputes. R.J. O'Brien and its affiliates may also, at their discretion, utilize a telephone recording system to place Customers orders. R.J. O'Brien may erase or dispose of such tapes in accordance with its document retention policies and regulatory requirements.

#### **17. Instructions, Notices and Other Communications**

All instructions, notices and other communications permitted hereunder may be oral unless required to be in writing by this Agreement. Customer authorizes R.J. O'Brien to purchase and sell Contracts in accordance with Customer's oral and written instructions. Customer hereby waives any defense that such instructions were not in writing, even if a writing may be required under Applicable Law. All instructions, notices and other communications, other than instructions to purchase or sell Contracts, shall be addressed as follows: (a) if to R.J. O'Brien, to the Compliance Department of R.J. O'Brien; (b) if to Customer, at the address indicated on the Account Application and information form accompanying this Agreement.

#### **18. Governing Law and Waiver of Statutes of Limitations**

This Agreement shall be governed by the laws of the State of Illinois, excluding conflict-of-laws principles. Customer agrees that no law suit, arbitration proceeding or other claim or action relating to this Agreement or the transactions in Customer's account may be initiated by Customer unless commenced within one year from the date of the disputed transaction; provided, however, that any action brought under the provisions of Section 14 of the Commodity Exchange Act, may be brought at any time within two years after the cause of action accrues.

## **19. Indemnification**

To the extent permitted by law, Customer agrees to indemnify, defend and hold harmless R.J. O'Brien and its directors, officers, employees, and agents from and against any loss, cost, claim, damage (including any consequential cost, loss or damage), liability, or expense (including reasonable attorneys' fees) and any fine, sanction or penalty made or imposed by any regulatory or self-regulatory authority or any Exchange as the result, directly or indirectly, of: (a) Customer's failure, breach, or refusal to fully and timely comply with any provision of this Agreement or perform any obligation on its part to be performed pursuant to this Agreement; (b) any failure by Customer to comply with Applicable Law; (c) any action reasonably taken by R.J. O'Brien or its affiliates or agents to comply with Applicable Law; and (d) any reliance by R.J. O'Brien on any instruction, notice or communication that R.J. O'Brien reasonably believes to originate from a person authorized to act on behalf of Customer.

## **20. Electronic Trading and Online Services.**

R.J. O'Brien will provide Customer with an individual password and a unique user identification (together, the "Access Codes"). The Access Codes will enable Customer to access its account and enter orders for its account through any RJO Platform. Customer is responsible for maintaining adequate security measures to ensure that the Access Codes are kept confidential at all times. Customer accepts full responsibility for the use and protection of the Access Codes, which includes, but is not limited to, all orders entered into an RJO Platform using the Access Codes and changes in Customer's account information that are entered using the Access Codes.

Customer accepts full responsibility for monitoring its account(s) with R.J. O'Brien. Should Customer become aware of (1) any loss, theft or unauthorized use of its Access Codes or (2) any failure to receive compilations and details of transactions or other communications from R.J. O'Brien, Customer shall notify R.J. O'Brien immediately.

Any and all materials that R.J. O'Brien provides to Customer in connection with an RJO Platform are (i) provided on a non-exclusive non-transferable basis, (ii) the property of R.J. O'Brien and (iii) intended for Customer's use only. Customer shall not resell or permit access to an RJO Platform to others and agrees not to copy any materials appearing on an RJO Platform for resale to others. Customer further agrees not to delete any copyright notices or other indications of protected intellectual property rights. Customer shall not obtain any intellectual property rights in or any right or license to use such materials on an RJO Platform other than as set out herein. Customer agrees to use an RJO Platform at Customer's own risk. Customer shall be responsible for providing and maintaining the means by which to access an RJO Platform. An RJO Platform may contain links to websites controlled or offered by third parties. The existence of such links should not be construed as an endorsement, approval or verification by R.J. O'Brien of any content available on third party sites.

## **21. Termination**

This Agreement may be terminated by R.J. O'Brien or the Customer immediately upon written notice to the other party. Upon satisfaction by Customer of all of Customer's obligations and debts to R.J. O'Brien, R.J. O'Brien shall transfer to another futures commission merchant all Contracts, if any, then held in the Accounts, and shall transfer to Customer or to another futures commission merchant, as Customer may instruct, all cash, securities and other property held in the Accounts. In the event of a transfer of positions, Customer may be responsible for half turn commissions in R.J. O'Brien's sole discretion. The termination of this Agreement shall not affect the obligations of the parties arising from transactions entered into prior to such termination.

## **22. Offsetting Positions**

R.J. O'Brien shall liquidate any Contract for which an offsetting order is entered by Customer, unless Customer instructs R.J. O'Brien not to liquidate such Contract and to maintain the offsetting Contracts as open positions; provided, that R.J. O'Brien shall not be obligated to comply with any such instructions given by Customer if Customer fails to provide R.J. O'Brien with any representations, documentation or other information reasonably requested by R.J. O'Brien, or if, in R.J. O'Brien's reasonable judgment, any failure to liquidate such offsetting Contracts against each other could result in a violation of Applicable Law.

## **23. Consent to Jurisdiction**

Customer agrees that all disputes, claims, actions or proceedings arising directly, indirectly, or otherwise in connection with, out of, related to or from this Agreement shall be litigated or arbitrated exclusively in a court or arbitration forum located in Chicago, Illinois. Customer consents and submits to the jurisdiction of any federal court or arbitration forum located within the Northern District of Illinois. Customer hereby waives any right Customer may have to transfer or change the venue of any litigation brought against Customer by R.J. O'Brien or by Customer against R.J. O'Brien.

Customer consents to the service of process by the mailing to Customer of copies of such court filing by certified mail to the address of Customer as it appears on the books and records of R.J. O'Brien, such service to be effective ten days after mailing.

CUSTOMER IRREVOCABLY WAIVES ANY RIGHT THAT IT MAY HAVE TO TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR RELATING TO THIS AGREEMENT.

#### **24. Waiver**

The failure of R.J. O'Brien to enforce at any time any provision of this Agreement shall not be construed to be a waiver of such provision nor in any way to affect the validity of this Agreement or the right of R.J. O'Brien thereafter to enforce each and every provision hereof. No waiver of any breach of this Agreement shall be held to constitute a waiver of any other or subsequent breach. No waiver or amendment shall be implied from any conduct, action, or inaction.

#### **25. Entire Agreement and Amendments**

This Agreement, reflects the entire agreement between R.J. O'Brien and Customer and supersedes all prior oral and written agreements between the parties relating to the subject matter hereof. No provision hereof shall in any respect be waived, augmented or modified unless in writing and signed by an authorized signatory of R.J. O'Brien.

#### **26. Binding Effect**

This Agreement shall be binding on and inure to the benefit of the parties, their successors and permitted assigns. This Agreement and the obligations of the Customer may not be assigned by Customer without the prior written consent of R.J. O'Brien and any such attempt at assignment without such consent of R.J. O'Brien shall be ineffective. In accordance with requirements of Applicable Law, R.J. O'Brien shall have the right to transfer or assign this Agreement (and thereby the Accounts) to any successor entity or to another properly registered futures commission merchant provided R.J. O'Brien has given customer written notice of such proposed transfer or assignment and Customer does not, within three business days of receipt of such notice, give R.J. O'Brien other instructions as to the disposition of the Accounts.

#### **27. Electronic Execution**

Customer agrees any records stored by a printed media storage method shall be deemed complete, true and genuine record of Customer's account documents and signatures. However, at the sole discretion of R.J. O'Brien, documents signed and transmitted by facsimile machine or electronic mail may be accepted as original documents. The signature of any person or entity thereon, is to be considered as an original signature, and the document transmitted is to be considered to have the same binding effect as an original signature on an original document. At the request of R.J. O'Brien, any facsimile or other electronic transmission of the document must be re-executed in original form by the persons or entities who executed the facsimile or telecopy document. No party hereto may raise the use of a facsimile or other electronic transmission as a defense to the enforcement of this Agreement or any amendment or other document executed in compliance with this section.

#### **28. Severability**

If any provision of this Agreement shall be prohibited by or invalid under Applicable Law, such provision shall be ineffective only to the extent of such prohibition or invalidity applies, without invalidating the remaining provisions of this Agreement.

**A. Corporate Account**

Customer represents and warrants that the Corporation is duly organized and in good standing under the laws of its state of incorporation and that trading in commodities, commodity futures contracts and options thereon is within the powers granted to it. Corporation has attached a copy of its **latest financial statement, Articles of Incorporation** as well as a **Letter of Good Standing**. The undersigned represents that he has full authority to enter into the Agreement on behalf of the Corporation and is concurrently furnishing to R.J. O'Brien a Corporate Authorization as prescribed by R.J. O'Brien. Customer also requests that all confirmations of transactions be sent to the business address of the Corporation in care of Jeff Bassford.

(Name of individual authorized to receive statements.)

Name of Corporation Board of Regents of the University of Nebraska

By: \_\_\_\_\_  
Date

Title: Corporate Secretary

**B. Personal Trust, IRA, Keogh Plan, Pension or Profit Sharing Trust or Plan**

The undersigned Trustee warrants and represents that he is a Trustee of \_\_\_\_\_, a duly formed Trust (Plan), dated \_\_\_\_\_, \_\_\_\_\_, for the benefit of \_\_\_\_\_ and a copy of the instrument by which he was appointed Trustee is attached. Trustee represents that he has the proper authority to sign this Agreement and all related documents on behalf of the Trust (Plan) and specifically represents that he or any successors Trustee is authorized to trade commodities, commodity futures contracts and options thereon for the account and risk of the Trust (Plan).

In the case of Keogh Plans, Pension and Profit Sharing Trusts, and other entities governed by the Employee Retirement Insurance Security Act, Trustee acknowledges that the amount of assets of said entity allowed to be invested in such commodities is subject to a "prudent man" standard. Trustee acknowledges that any investment decisions made on behalf of such entity is solely that of the entity's internal investment management and not of R.J. O'Brien. Trustee expressly acknowledges that R.J. O'Brien is not its agent or fiduciary with respect to any "prudent man" standard, statutory or otherwise, and indemnifies R.J. O'Brien for any losses resulting from any breach of said standard.

All Trustees must sign:

X \_\_\_\_\_  
Trustee Signature Date

\_\_\_\_\_  
Print Name

X \_\_\_\_\_  
Co-Trustee Signature, if any Date

\_\_\_\_\_  
Print Name

**C. Partnership Account (General or Limited)**

The undersigned, \_\_\_\_\_, hereby represents to you that there is a general partner in a general or limited partnership known as \_\_\_\_\_ (the "Partnership"), and attached hereto is a copy of its signed Partnership Agreement. The Partnership is duly organized, validly existing partnership under the laws of the state(s) in which it was formed and in which it does business. If this is a Limited Partnership, the Partnership has attached their **Certificates of Limited Partners**. In consideration of your opening one or more commodities accounts for and in the name of the Partnership, the undersigned further represents that as a partner in the Partnership having a significant interest therein, he has proper authority to sign the Agreement and all related documents on behalf of the Partnership and, for the account and risk of the Partnership, to buy, sell, and trade in commodities, commodity futures contracts and options thereon of every kind whatsoever, and to borrow money for such purposes in said account in accordance with your terms and conditions.

Customer understands that R.J. O'Brien is relying upon such information in opening this account, and agrees to promptly notify R.J. O'Brien, in writing, of the death or retirement of any of the General Partners or any material change in the appropriate partnership agreement.

X \_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**D. Limited Liability Company**

Customer represents and warrants that the Limited Liability Company is duly organized and in good standing under the laws of its state of organization and that trading in commodities, commodity futures contracts and options thereon is within the powers granted to it. Customer has attached a copy of their **Operating Agreement and Articles of Organization**. The undersigned represents that he is a manager or otherwise has full authority to enter into the Agreement on behalf of the Company and is concurrently furnishing to R.J. O'Brien a Limited Liability Company Resolution as prescribed by R.J. O'Brien.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Company

By: \_\_\_\_\_

Title: \_\_\_\_\_

**HEDGE REPRESENTATION  
(To Be Signed By Hedge Customers Only)**

In order to induce R.J. O'Brien & Associates, LLC ("RJO") to open and maintain the undersigned's account, the undersigned represents that the transactions identified below in this account are for hedging or recognized risk management purposes only and shall be entered into solely for the purpose of protection against losses which may be incurred in a cash position in a specific commodity, or with respect to derivatives such as financial, interest rate or stock index futures to protect against losses that may be incurred in an existing financial portfolio.

The following commodities are for bona fide hedging purposes. **This section must be filled out completely.**

<u>Commodity Contract</u>	<u>Economic Justification *</u>
<u>Corn</u>	<u>Minimize exposure to market fluctuations</u>
<u>Soybean</u>	<u>Minimize exposure to market fluctuations</u>
<u>Live Cattle</u>	<u>Minimize exposure to market fluctuations</u>
<u>Feeder Cattle</u>	<u>Minimize exposure to market fluctuations</u>

The undersigned is familiar with all laws, rules and regulations concerning hedging in such contracts and has not relied upon RJO for any related advice.

This notification is a continuing one and shall remain in force until canceled in writing. The undersigned acknowledges that RJO shall rely upon this representation and shall notify RJO immediately if this representation does not remain true and correct.

Commodity Futures Trading Commission Regulation 190.06 (d) requires that a broker must provide an opportunity for each customer to specify when undertaking its first hedging contract whether, in the event of the broker's bankruptcy, such customer prefers that open commodity contracts held in a hedging account be liquidated by the trustee. Accordingly, please indicate below your preference for open contracts in your account if such an event were to occur.

I instruct that, in the event of RJO bankruptcy, the trustee:

(INITIAL ONE) liquidate not liquidate \_\_\_\_\_ open commodity positions in my hedge account without seeking my instruction

<b>If Corporation, Partnership, or other entity: (All General Partners must sign.)</b>	
X _____ Signature	<u>Corporate Secretary</u> Title
_____ Date	
X _____ Signature	_____ Title
_____ Date	

\* Reason why account owner is using the listed commodity contract as protection against loss in the cash market. (i.e. Corn Farmer, Mortgage Lender)

## CORPORATE ACCOUNT AGREEMENT AND RESOLUTION

I, Carmen K. Maurer, Corporation Secretary, for the Board of Regents of the University of Nebraska,  
 Name Name of Company

A public body corporate (*circle one*) organized under the laws of the State of Nebraska, having its principal office at  
 State

3835 Holdrege Street Lincoln NE 68583-0743 USA  
 Street Address City State Zip Country

do hereby certify that a meeting of the Board of Directors or Managing Members of said company duly held on the 17<sup>th</sup> day of November, 2016,  
 The following resolutions were duly adopted, that said resolutions have not been amended, rescinded or revoked, and are in no way in conflict with any of the provisions of the Charter, By-Laws, or Operating Agreement of said company.

RESOLVED: That employees and/or authorized individuals of the company

hereby are authorized to trade in commodities for present or future delivery and options on such futures for the account and risk of this company through and with the firm of R.J. O'Brien of 222 South Riverside Plaza, Suite 900, Chicago, Illinois as said firm is now constituted or may be hereafter constituted, the authority hereby granted including the power to do any and/all of the following:

- (a) To buy, sell and trade in commodity futures and options on commodity futures for present or future delivery, on margin or otherwise, the power to sell including the power to sell "short" (this includes transactions on the Foreign Interbank Market);
- (b) To deposit with and withdraw from said firm, money, commodities, contracts for the purchase or sale of commodity futures and options on such futures, checks and other negotiable instruments, securities and other property;
- (c) To receive and acquiesce in the correctness of notices, confirmations, requests, demands and communications of every kind;
- (d) To enter into a Customer's Commodity Account Agreement (and all related account documents) with the said firm in the form attached to the Minutes of this meeting;
- (e) To settle, compromise, adjust, and give releases with respect to any and all claims, demands, disputes and controversies;
- (f) To make agreements and take any other action relating to any of the foregoing matters.

This enumeration of specific authority shall not in any way limit or affect any other authority which the named officials might otherwise have; and it was further

RESOLVED: That any and all past transactions of any kind herein authorized, which may have been heretofore had on behalf of this company through or with said firm be, and hereby are, ratified; and it was further

RESOLVED: That said firm is authorized to act upon the authority of these resolutions until receipt by said firm of a certificate showing revision or modification thereof signed by the Corporation Secretary of this company and under its seal, and that said firm is also authorized to recognize and deal with the officers/members of this company whose names are set forth in a certificate signed by the Corporation Secretary of this company, until receipt by said firm of a further certificate setting forth the names of another person or persons as such officers; and it was further

RESOLVED: That the above named officers shall specifically have the authority to enter into a Managed Account Agreement if desired with R.J. O'Brien; and it was further

RESOLVED: That confirmations of transactions entered into pursuant to this authorization shall be sent to the business address of the company and also to:

Jeff Bassford, Lynne Smejdir, and MacKayla Kelsey - email: financeandpersonnel@unl.edu

**For duplicate statement, insert name of person other than person authorized above**

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said company,

X \_\_\_\_\_  
 Corporation Secretary's Signature Required (must be signed)

X \_\_\_\_\_  
 Date

Please list the following officers:

Hank M. Bounds \_\_\_\_\_  
 President's Name President's (Signature Required)

Ronald D. Green \_\_\_\_\_  
 Chancellor for the University of Nebraska – Lincoln and Vice President's (Signature Required)  
 University of Nebraska Vice President's Name

Carmen K. Maurer \_\_\_\_\_  
 Secretary's Name Secretary's (Signature Required)

Christine A. Jackson \_\_\_\_\_  
 Vice Chancellor Business and Finance for the Signature Required  
 University of Nebraska – Lincoln's Name

## REQUEST FOR ELECTRONIC TRANSMISSION OF CUSTOMER STATEMENTS

Attention: R.J. O'Brien

The undersigned Customer ("Customer") requests that you provide confirmation statements of activity solely by electronic transmission to the E-mail address indicated below. Please do not mail hard copies of such statements.

Customer warrants and represents that the below-referenced E-mail will promptly print out the relevant Customer statements in the form you transmit. Customer understands that there is a risk of failure of any electronic transmission, and will not hold you liable directly or indirectly for such failure. If Customer fails to receive any confirmation statement that reflects activity of which Customer is aware in the account, Customer will contact an RJO customer service representative by 8:00 a.m. (CST) on the business day following the day of any such activity.

This consent shall be effective until revoked by Customer in writing, signed by the undersigned and delivered to R.J. O'Brien at 222 South Riverside Plaza, Suite 1200, Chicago, IL 60606. In addition, Customer acknowledges that for its protection and the protection of RJO, any request to change the email address listed below must be in writing and must bear the signature of the undersigned. In the event such a request is received from a legal entity, such as a corporation, LLC or partnership, the request must be accompanied by appropriate documentation establishing that the person signing the request possesses the requisite authority to bind the entity. By signing below, Customer represents that the delivery and execution of this consent has been duly authorized.

Board of Regents	
<u>University of Nebraska</u>	<u>37919189</u>
Customer Name	Account Number (s)
<u>financeandpersonnel@unl.edu</u>	
Customer E-mail Address (Please Print)	
By: _____	_____
Signature	Date
Name: <u>Christine A. Jackson</u>	

<u>Jeff Bassford, Lynne Smejdir or MacKayla Kelsey</u>	
Authorized Trader's Name	
<u>financeandpersonnel@unl.edu</u>	
Authorized Trader's Email Address (Please Print)	
By: _____	_____
Customer Signature	Date

Additional Email Address:
_____
_____
_____
_____



**Internal Revenue Code Substitute Form W-9**

Federal Employer ID Number 47-0049123

Legal Account Name: Board of Regents University of Nebraska

If you have **NOT** furnished R.J. O'Brien with your taxpayer identification number (usually your Social Security number) and do **NOT** sign below, R.J. O'Brien must generally withhold 20% of certain income from your account. I hereby certify under penalties of perjury that I am not subject to backup withholding under the provisions of Section 3406 (a)(1)(c) of the Internal Revenue Code.

X \_\_\_\_\_

Signature

\_\_\_\_\_

Date

**Please note that all required regulatory information reporting applicable to activity within this account (including Internal Revenue Service reporting) will be submitted with the legal name and Federal Tax Identification Number stated above.**

Please note that all Foreign Accounts must fill out an IRS tax form W-8

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

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Sole source purchase of a 3D Metal Printer for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering

RECOMMENDED ACTION: Approve the sole source purchase of a 3D Metal Printer for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering

PREVIOUS ACTION: None

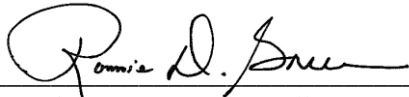
EXPLANATION: The LENS 3D Metal Hybrid Printer will be used by the Mechanical and Materials Engineering Department for research in combining the advantages of 3D printing with machining capabilities and metal powder spray technology. This printer is an industry first providing an atmosphere controlled environment which extends capabilities for research using reactive metals and aluminum. A sole source purchase is warranted because Optomec's proprietary design replaces the available industry standard upper enclosure with Optomec's hermitically sealed upper chamber and gas purification system that enables high quality processing of metals such as titanium. This proprietary design makes this printer model one-of-a-kind, and therefore UNL will be advantaged in seeking more external funding in this research area.

The purchase was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: \$682,542

SOURCE OF FUNDS: General Funds

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

RECOMMENDED:   
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016

TO: The Board of Regents Addendum VIII-B-4

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Sole source purchase of a Scanning Transmission Electron Microscope for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering

RECOMMENDED ACTION: Approve the sole source purchase of a Scanning Transmission Electron Microscope for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering

PREVIOUS ACTION: None

EXPLANATION: This Scanning Transmission Electron Microscope will be used by Dr. Eli Sutter and others for research projects that focus on in-situ electron microscopy. Current NSF and DOE funded projects require technical capabilities and image capture rates only available from this supplier. These projects also require the new Electron Microscope be compatible with four previously acquired specialized in-situ sample holders. In addition to providing compatibility of the sample holders, only the FEI Company instrument can provide an interface to control the electron beam for certain experimental conditions; therefore, the sole source purchase is requested.

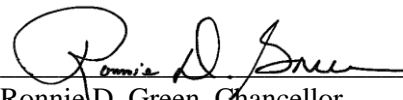
The purchase was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: \$1,099,897

SOURCE OF FUNDS: General Funds

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

RECOMMENDED:

  
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016

TO: The Board of Regents  
Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Re-naming the Center for Leukemia and Lymphoma Research to the  
“Dr. James O. Armitage Center for Hematological Malignancies  
Research”

RECOMMENDED ACTION: Approve re-naming the Center for Leukemia and Lymphoma Research to  
the “Dr. James O. Armitage Center for Hematological Malignancies  
Research”

PREVIOUS ACTION: None.

EXPLANATION: Dr. James O. Armitage is recognized as the world leader in treatment of  
lymphoma. He launched one of the most successful bone marrow  
transplant programs in the world for the treatment of blood cancers at  
UNMC in the 1980s. He has served UNMC in various capacities  
including as Chief of the Division of Oncology/Hematology, Chairman  
of the Department of Internal Medicine, Dean of the College of  
Medicine, and presently holds the position of the Joe Shapiro Professor  
of Medicine.

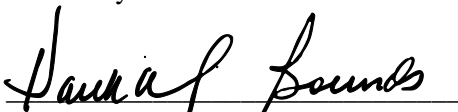
Regents policy 6.2.7.4 (b) permits the Regents to waive a provision  
requiring five years to pass after retirement prior to such naming a center  
for a retiree. Dr. Armitage’s service has been extraordinary and this  
naming is appropriate to recognize his service to finding a cure for blood  
cancers and his service to UNMC, so that the requirement in this instance  
should be waived.

The naming was reviewed by the Business Affairs Committee and is  
recommended for approval.

PROJECT COST: None.

SOURCE OF FUNDING: N/A

SPONSOR: Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

RECOMMENDED:   
Hank M. Bounds, President  
University of Nebraska

DATE: November 21, 2016

TO: The Board of Regents Addendum VIII-B-6  
Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Naming of the Wigton History of Medicine Archives on the 8<sup>th</sup> Floor of the McGoogan Library of Medicine.

RECOMMENDED ACTION: Approve naming the 8<sup>th</sup> Floor of the McGoogan Library of Medicine the “Wigton History of Medicine Archives.”

PREVIOUS ACTION: None.

EXPLANATION: Dr. Robert Wigton has been at UNMC for over 50 years and served UNMC in various capacities for over 40 years, including as the Associate Dean of the College of Medicine for Graduate Medical Education for many years. He is known as the UNMC campus historian. He continues to practice internal medicine at UNMC.

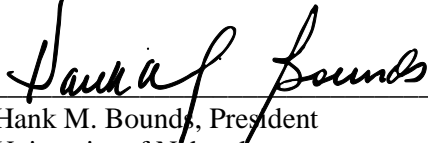
Regents policy 6.2.7.4 (b) permits the Regents to waive a provision requiring five years to pass after retirement prior to such naming a building for a retiree. Dr. Wigton’s service has been extraordinary and this naming is appropriate to recognize his service and interest in the history of the institution, so that the requirement in this instance should be waived.

The naming was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: None.

SOURCE OF FUNDING: N/A

SPONSOR: Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

RECOMMENDED:   
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 24, 2016

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Regent Emeritus

RECOMMENDED ACTION: Approve the addition of policy RP-1.2.6 to the *Board of Regents Policies*

PREVIOUS ACTION: None

EXPLANATION: The University of Nebraska presently has no policy or practice, which bestows the title “Regent Emeritus” upon the completion of a Regent’s board service. The Executive Committee of the Board of Regents recommends to the full Board for approval the policy set forth below.

**RP-1.2 Duties and Privileges of Members**

**RP-1.2.6 Regent Emeritus**

Any Regent, whether serving prior to or subsequent to the adoption of this policy, who has served as Chair or has been a member of the Board of Regents for more than six years, and retires from his or her service in good standing, may be nominated by the President and the Executive Committee to hold the title of “Regent Emeritus.” The nomination shall be referred to the Board for confirmation and approval at a public meeting. The title may be revoked, if the President and Executive Committee determine that circumstances exist such that the individual’s use of the title may reflect adversely on the University. The title is considered honorary, and no specific benefits or duties are associated with it. The President, in consultation with the Executive Committee, may call upon a Regent Emeritus to serve in an advisory role or to represent the University at official functions and events, when such service assists the President and University. A Regent Emeritus has no authority to speak or act on behalf of the University, unless specifically authorized to do so. No personnel or other reporting, as exists in the case of faculty with emeritus status, is required with respect to the designation of Regent Emeritus.

PROJECT COST: None

SPONSOR: Executive Committee  
Board of Regents

RECOMMENDED:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 10, 2016

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Kent Schroeder, Regent Emeritus

RECOMMENDED ACTION: Approve nomination of Regent Kent Schroeder as “Regent Emeritus”

PREVIOUS ACTION: November 18, 2016 – The Board of Regents approved the addition of policy RP-1.2.6, Regent Emeritus

EXPLANATION: Conditioned upon the adoption of RP-1.2.6, Regent Emeritus, President Bounds and the Executive Committee of the Board have nominated Regent Kent Schroeder for the title of Regent Emeritus.

Regent Schroeder has announced that he will not run to serve for another term on the Board of Regents, and therefore, today’s meeting is very likely the last public meeting of his service. He has represented District Six as a distinguished member of the Board of Regents since 1998, and served three terms as chairman, demonstrating common sense, steady and knowledgeable guidance, strategic thinking with a clear understanding of the importance of board governance, a positive supporter of University leadership, and a deep and genuine commitment to the University of Nebraska and State of Nebraska.

It is an honor to recommend our colleague as the first recipient of the honorary title “Regent Emeritus.”

SPONSORS: Executive Committee  
Board of Regents

RECOMMENDED:   
Hank M. Bounds, President  
University of Nebraska

DATE: November 1, 2016

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

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Residence Hall Room and Board Rates for Academic Year 2017-18 at the Nebraska College of Technical Agriculture

RECOMMENDED ACTION: Approve the Residence Hall Room and Board Rates for Academic Year 2017-18 at the Nebraska College of Technical Agriculture. Should the rate remain unchanged, approval of these rates shall apply to future academic years as well.

PREVIOUS ACTION: January 29, 2016 – The Board of Regents approved the 2016-17 academic year room rates for the four residence halls.

EXPLANATION: There is no change in the residence hall rates for academic year 2017-18.

	<u>2016-17</u>	<u>2017-18</u>	<u>Percentage Increase</u>
<u>Aggie West Residence Hall</u>			
<u>Double Room:</u>			
Per semester	\$1,367	\$1,367	0%
Summer	684	684	
Per semester/private bath	1,569	1,569	0%
Summer session/private bath	785	785	
<u>Single Room:</u>			
Per semester	2,024	2,024	0%
Summer	1,012	1,012	
Per semester/private bath	2,326	2,326	0%
Summer session/ private bath	1,163	1,163	
<u>Aggie Central Residence Hall</u>			
<u>Four person suites:</u>			
Per semester	1,579	1,579	0%
Summer session	790	790	
<u>Two person suites:</u>			
Per semester	2,451	2,451	0%
Summer session	1,226	1,226	
<u>East &amp; West Traditional Halls</u>			
<u>Double Room</u>			
Per Semester	1,103	1,103	0%
Summer	552	552	
<u>Single Room</u>			
Per Semester	1,654	1,654	0%
Summer session	827	827	

The summer room rate for all residence hall options will remain at approximately 50% of the semester rate.



There is no change in the meal plan rates for academic year 2017-18.

Meal Plans


	<u>2016-17</u>	<u>2017-18</u>	<u>Percentage Increase</u>
5 per week (off-campus only)	\$ 551	\$ 551	0%
14 per week	1,544	1,544	0%
18 per week	1,985	1,985	0%
21 per week	2,315	2,315	0%

SPONSORS:

Ron Rosati  
Dean, Nebraska College of Technical Agriculture

Jeff Bassford  
Assistant Vice Chancellor, Institute of Agriculture and Natural Resources

RECOMMENDED:

  
\_\_\_\_\_  
Ronald E. Yoder  
Interim Vice President of Agriculture and Natural Resources  
Interim Vice Chancellor for Institute of Agriculture and Natural Resources

DATE:

November 3, 2016

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

MEETING DATE: November 18, 2016

SUBJECT: Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska at Kearney

RECOMMENDED ACTION: Approve the Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska at Kearney (UNK)

<u>Double Room+</u> <u>Meals/Week</u>	<u>2016-2017</u>	<u>2017-2018</u>
All-Access 200	\$ 9,464	\$ 9,558
All-Access 160	9,372	9,466
All-Access 60	9,146	9,236

PREVIOUS ACTION: January 30, 2016 – The Board of Regents approved the following Room and Board rates for double occupancy for the 2016-17 Academic Years.

<u>Double Room+</u> <u>Meals/Week</u>	<u>2016-2017</u>
All-Access 200	\$ 9,464
All-Access 160	9,372
All-Access 60	9,146

EXPLANATION: The proposed rates will generate the income required to cover obligations while managing the cost to students. The rates reflect a 1% increase for students selecting the All-Access 200 meal plan residing in a double occupancy basic room.

The above-noted rates are the basic room and board charges for traditional residence halls, to which all other housing rates are then related – break housing, suites, Antelope/Nester Hall suite living, etc. The percentage increase in rates for these other special contracts may be higher than those stated above for the standard plans, depending upon the unique features that call for a special rate and contract.

UNK’s rate increase supports cost recovery for employee salaries and wages, employee benefits, raw food costs, materials and supplies, and computing enhancements. These rates will also support the debt service related to the facility renovation projects of the University Housing Master Plan and a high quality food service program, as well as continued investment to address deferred maintenance needs.

The proposed rates were reviewed by the Business Affairs Committee and are recommended for approval.

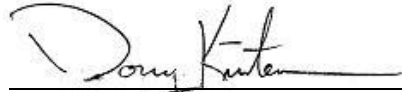
PROJECT COST: None

SOURCE OF FUNDS: N/A

SPONSOR:

Jon C. Watts  
Vice Chancellor for Business & Finance

RECOMMENDED:



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Douglas A. Kristensen, Chancellor  
University of Nebraska at Kearney

DATE:

October 24, 2016

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

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Sale of the University Heights Apartments

RECOMMENDED ACTION: Approve the sale of the University Heights and approve the establishment of seed funding for University Village with the sale proceeds.

PREVIOUS ACTION: April 10, 2015 – The Board of Regents approved the program statement and bonds for a three-story, \$16 million, 130-bed residence hall to replace University Heights Apartments.

EXPLANATION: The 2013 Campus Master Plan included a new residence hall as a replacement for University Heights and as a catalyst project for University Village; as renovation of University Heights is not cost effective and the residence will not be able to meet the Regents' sprinkler objective of having all housing sprinkled by 2017.

University Heights is located in northwest Kearney, Nebraska at 1701 West 35<sup>th</sup> Street. It is on the northwest quadrant of the intersection of 17<sup>th</sup> Avenue and West 35<sup>th</sup> Street, approximately 1-mile north of the University of Nebraska at Kearney with the legal description: The East Half of the South Half of the Northeast Quarter of the Northeast Quarter (E½ S½ NE¼ NE¼), Section Thirty-Four (34), Township Nine (9) North, Range Sixteen (16) West of the 6<sup>th</sup> PM, Buffalo County, Nebraska; Now Known as Grandview Heights Subdivision, City of Kearney, Buffalo County, Nebraska.

University Heights consist of 9.01 acres, zoned R-3, Multi-Family Housing, Medium Density.

The request is for the sale of the property "as is" at public auction, sealed bid public sale, or via broker.

UNK will establish seed funding with the proceeds from the sale of University Heights that would be restricted to support new and current initiatives on the University Village site.

The sale was reviewed by the Business Affairs Committee and is recommended for approval.

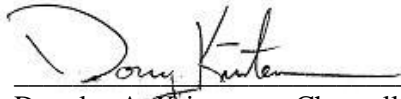
PROJECT COST: None

SOURCE OF FUNDS: N/A

SPONSOR:

Jon C. Watts  
Vice Chancellor for Business & Finance

RECOMMENDED:

  
\_\_\_\_\_  
Douglas A. Kristensen, Chancellor  
University of Nebraska at Kearney

DATE:

October 24, 2016

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

MEETING DATE: November 18, 2016

SUBJECT: Exchange Agreement of Real Property

RECOMMENDED ACTION: Approve the exchange of real property located at 4103 Leavenworth currently owned by the Board of Regents with privately owned 4206 Leavenworth located at the northwest corner of 42<sup>nd</sup> and Leavenworth Streets.

PREVIOUS ACTION: January 25, 2013 - The Board of Regents approved an Assignment and Assumption agreement which permitted the closing on the purchase agreement of real property located at 4103 Leavenworth Street (the "Parking Lot") for \$975,000.

EXPLANATION: The Board of Regents is desirous to exchange property located at 4103 Leavenworth with an exchange parcel located at 4206 Leavenworth, currently known as Charlie Graham Auto Body ("the Graham Property"). The Graham Property is slated to be purchased by B.H & J.H., Inc. d/b/a Great Plains Auto Body after the approval of this Exchange Agreement. The exchange agreement will be executed between the Board of Regents and Great Plains Auto Body. The exchange agreement contemplates an exchange of deeds with Great Plains Auto Body along with an equalization payment from Great Plains to UNMC of \$12,500, negotiated based upon the values of the properties.

The Graham Property is contiguous with the southern border of the UNMC campus and, as demonstrated in the attached map, is a strategic acquisition for the long term future of UNMC.

The property located at 4103 Leavenworth consists of 48,271 square feet which has been used primarily as a surface parking lot.

This parking lot is legally described as: Lot 1, Block 2, Thornburg Place, an addition to the City of Omaha, Douglas County, Nebraska; Except for the North 5 feet of the West 5 feet thereof; and except that part granted to the City of Omaha by Warranty Deed filed August 10, 2006 as Instrument No. 2006091442, Official Records, Douglas County, Nebraska; and Except for the Irregular West 44 feet described in Book 2006 Page 091442.

The property was appraised on June 30, 2016 at a value of \$1,115,000.

The exchange parcel located at 4206 Leavenworth, the Graham Property, consists of a 33,146 square. The property was appraised on December 19, 2015 at a value of \$1,090,000.

The Graham Property is legally described as:

- Parcel A: Lot 3, Block 2, Leavenworth Terrace, and that portion of the vacated alleys in Block 2, Leavenworth Terrace, an addition to the City of Omaha, said vacated alleys described as follows: Commencing at the Northwest corner of said Lot 3, running thence south 54 feet, along the West line of said Lot 3, thence East 114 feet along the South line of said Lot 3, to the Southeast corner of said Lot 3, thence south 6 ½ feet, thence West 118 feet, thence North 60 ½ feet; thence East 4 feet, to the place of beginning, all as surveyed, platted and recorded, Douglas County, Nebraska.
- Parcel B: Lot 4, except the East 5.0 feet of the south 10.0 feet of said lot deeded to the City of Omaha for public purposes, and the East 57 feet of Lot 5, Block 2, Leavenworth Terrace, an addition to the City Omaha, as surveyed, platted and recorded, and the South ½ of the vacated alley adjoining on the North, Douglas County, Nebraska.
- Parcel C: The West 4 feet of Lot 5, all of Lot 6, and the East 25 feet of Lot 7, all in Block 2, Leavenworth Terrace, an addition to the City of Omaha, as surveyed, platted and recorded, together with the South ½ of the vacated alleys adjoining on the North, Douglas County, Nebraska.

An environmental site assessment has been completed on the Graham Property located 4206 Leavenworth.

The exchange agreement was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: None

SOURCE OF FUNDING: N/A

ONGOING FISCAL IMPACT: N/A

SPONSOR: Deborah L. Thomas  
Vice Chancellor for Business and Finance

RECOMMENDED:   
\_\_\_\_\_  
Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

DATE: October 24, 2016





**EXCHANGE AGREEMENT**  
**(Board of Regents and BH & JH Leavenworth, LLC)**

This Exchange Agreement (the “Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2016 (the “Effective Date”), by and between the Board of Regents of the University of Nebraska, a public body corporate of the State of Nebraska and governing body of the University of Nebraska Medical Center (“UNMC”), and BH & JH Leavenworth, LLC, a Nebraska limited liability company (“BHJH”). UNMC and BHJH are sometimes each referred to herein as a “party” or collectively as the “parties”.

**RECITALS**

A. The Board of Regents, as governing body of UNMC, operates a medical center campus generally bounded by 38<sup>th</sup> Street on the East, Leavenworth Street on the South, Saddle Creek Road on the West, and Farnam Street on the North (the “UNMC Campus”).

B. BHJH has contracted to purchase certain real estate (as defined in Neb. Rev. Stat. § 76-201) commonly known as 4206 Leavenworth Street, Omaha, Nebraska, and legally described on Exhibit “A” attached hereto and incorporated herein (the “BHJH Exchange Property”). The BHJH Exchange Property is adjacent to and contiguous with the UNMC Campus.

C. UNMC owns the real estate (as defined in Neb. Rev. Stat. § 76-201) commonly known as 4103 Leavenworth Street, Omaha, Nebraska, and legally described on Exhibit “B” attached hereto and incorporated herein (the “UNMC Exchange Property”). The BHJH Exchange Property and the UNMC Exchange Property shall be sometimes referred to herein individually as a “property” and collectively as the “properties”.

D. UNMC desires to acquire the BHJH Exchange Property for the expansion of its campus, and BHJH desires to exchange the BHJH Exchange Property for the UNMC Exchange Property in order to construct an auto body repair shop on the UNMC Exchange Property.

NOW, THEREFORE, in consideration of the mutual promises and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, UNMC and BHJH agree as follows:

**1. Exchange of Properties.** Subject to BHJH (or its assignee) closing on the purchase of the BHJH Exchange Property, UNMC agrees to transfer and convey the UNMC Exchange Property to BHJH and BHJH agrees to transfer and convey the BHJH Exchange Property to UNMC, subject to the terms and conditions of this Agreement. Each of the properties transferred and conveyed shall include any other gaps or gores owned by the transferor adjacent to such property as may be revealed by a survey, and easements and servient estates

appurtenant thereto, free and clear of all liens, leases, and encumbrances; provided, however, the parties shall take title subject to:

- A. Restrictive covenants, easements, mineral rights, reservations or conditions of record, which do not restrict the transferee's ability to use the transferred property for its intended purpose; and
- B. Restrictions, conditions and limitations hereinafter stated.

**2. Value of Properties.** UNMC and BHJH acknowledge and agree that the values of the UNMC Exchange Property and the BHJH Exchange Property are approximately equal. Because the appraised value of the UNMC Exchange Property exceeds the appraised value of the BHJH Exchange Property, in order to reconcile the valuation differential, on the Closing Date, as hereinafter defined, BHJH agrees to pay UNMC an equalizing payment of Twelve Thousand Five Hundred and No/100 Dollars (\$12,500.00), subject to the allocation of expenses described in this Agreement.

**3. Title.** At the closing, UNMC will execute and deliver to BHJH a Special Warranty Deed (the "UNMC Deed") conveying the UNMC Exchange Property in fee simple free and clear of all liens, encumbrances, encroachments, and special assessments levied or assessed, or special assessment districts that have been created and ordered constructed, as of the Closing Date, except for permitted encumbrances to which BHJH has not objected. At the closing, BHJH will execute and deliver to UNMC a Special Warranty Deed (the "BHJH Deed") conveying the BHJH Exchange Property in fee simple free and clear of all, liens, encumbrances, encroachments, and special assessments levied or assessed, or special assessment districts that have been created and ordered constructed, as of the Closing Date, except for permitted encumbrances to which UNMC has not objected.

**4. Closing Costs.** The parties agree to retain TitleCore National, LLC as the escrow closing agent ("Title Company") to close this transaction and shall execute the Title Company's agreement upon reasonable request. UNMC and BHJH shall each pay one-half (1/2) of the cost of such escrow closing service. The Title Company shall prepare the UNMC Deed and the BHJH Deed on behalf of UNMC and BHJH, respectively. UNMC shall pay the Nebraska Documentary Stamp tax relating to the transfer of the UNMC Exchange Property, if any, and the costs of filing the UNMC Deed. BHJH shall pay the Nebraska Documentary Stamp Tax relating to the transfer of the BHJH Exchange Property, if any, and the costs of filing the BHJH Deed. Provided, however, both conveyances shall be exempt from such tax due to UNMC's status as a governmental entity. Each party shall pay its own attorney fees.

**5. Title Insurance.** Within fifteen (15) days from the Effective Date of this Agreement, UNMC shall obtain a title insurance commitment for the UNMC Exchange Property, issued by the Title Company (the "UNMC Commitment"), and

deliver the same to BHJH. UNMC shall simultaneously obtain a title insurance commitment for the BHJH Exchange Property (the "BHJH Commitment"). The UNMC Commitment and the BHJH Commitment shall show marketable title to the UNMC Exchange Property and the BHJH Property in UNMC and BHJH respectively, and in accordance with the terms and conditions of this Agreement. The amount of the title insurance shall be based upon the appraised values of the respective properties. UNMC shall pay the expense of the title insurance policy issued pursuant to the BHJH Commitment. BHJH shall pay the expense of the title insurance policy issued pursuant to the UNMC Commitment.

UNMC shall approve or disapprove title to the BHJH Exchange Property, and BHJH shall approve or disapprove title to the UNMC Exchange Property, during the Due Diligence Period described in Section 10 below and after receipt of the respective title insurance commitment and the Survey, as hereinafter defined, obtained by such party as part of its due diligence investigation. If any objection or defect in title is discovered by either party during such party's due diligence investigation, the objecting party (the "Objecting Party") shall furnish the other party (the "Non-Objecting Party") with written notice of such objections and defects. The Non-Objecting Party shall have a reasonable time to cure such objections and defects and shall bear the expense of curing the same, provided that all objections and defects shall be cured prior to the expiration of the Due Diligence Period. If efforts to cure any such defects fail, in the Objecting Party's sole discretion, the Objecting Party shall have the option to rescind this Agreement.

**6. Closing Date.** The Closing Date ("Closing Date") for the exchange of the UNMC Exchange Property and the BHJH Exchange Property shall occur on a mutually agreeable date not less than sixty (60) days following the delivery of written notice from BHJH to UNMC of the intent to close; provided, however, that the Closing Date shall not occur until receipt of the approval by the Board of Regents required pursuant to Section 12. The Closing Date shall occur no later than twelve (12) months following the Effective Date of this Agreement.

**7. Possession.** UNMC shall deliver possession of the UNMC Exchange Property to BHJH on the Closing Date free and clear of any leases or other claims to possession. No tenants of UNMC or other third parties shall have any right to possess the UNMC Exchange Property or any part thereof as of the Closing Date. BHJH shall deliver possession of the BHJH Exchange Property to UNMC following termination of the Lease, as hereinafter defined, free and clear of any leases or other claims to possession. No tenants of BHJH or any other third parties shall have any right to possess the BHJH Exchange Property or any part thereof as of the termination of the Lease.

**8. Risk of Loss.** Risk of loss or damage to the UNMC Exchange Property shall rest with UNMC until the Closing Date. Risk of loss or damage to the BHJH Exchange Property shall rest with BHJH until the Closing Date.

**9. Taxes.** Real estate taxes for the BHJH Exchange Property that would be delinquent if not paid in the year of closing shall be prorated to and paid in full on the Closing Date. BHJH shall pay the real estate taxes for the BHJH Exchange Property for all prior years. The UNMC Exchange Property is currently exempt from real estate taxation due to UNMC's status as a political subdivision of the State of Nebraska. BHJH shall be responsible for real estate taxes for the UNMC Exchange Property for the year of closing and all subsequent tax years.

**10. UNMC's Conditions Precedent.** UNMC's obligation to close on the exchange of the UNMC Exchange Property for the BHJH Exchange Property shall be conditioned upon satisfaction of these contingencies during the Due Diligence Period, as defined below:

- A. Testing.** UNMC, and one or more independent engineers, surveyors, appraisers, consultants, specialists or firms chosen by UNMC in its sole discretion, shall have the right to access the BHJH Exchange Property to conduct, at UNMC's cost, such inspections or tests as UNMC deems necessary, including, but not limited to, a Phase I Environmental Site Assessment, Limited Subsurface Investigation, and any other environmental inspections, and inspection of the buildings and other improvements located on the BHJH Exchange Property, including the roofs and HVAC systems of such buildings. All such testing will be completed within the Due Diligence Period. UNMC shall restore the Property to the condition which existed prior to any such testing. If UNMC conducts any such testing, it shall indemnify and hold BHJH harmless from and against any loss, claim, expense, or demand arising out of such inspection or testing. UNMC acknowledges that it has received and reviewed, prior to the date hereof, a Phase I Environmental Site Assessment prepared by Terracon Consultants, Inc. ("Terracon") and dated July 1, 2016 (Terracon Project No. 05167687), and a Limited Subsurface Investigation prepared by Terracon and dated August 25, 2016 (Terracon Project No. 05167806) (collectively, the "BHJH Exchange Property Environmental Reports").
- B. Survey.** UNMC may, at its option, obtain an ALTA/ACSM Land Title Survey (the "Survey") reflecting, among other things, the boundary legal descriptions, the quantities of land, and the locations of all easements on the BHJH Exchange Property. UNMC shall have the right to review and approve the Survey and specifically the locations and restrictions of the easements located on the BHJH Exchange Property.
- C. Existing Due Diligence Materials.** During the Due Diligence Period, BHJH shall deliver to UNMC and UNMC shall have the right to inspect, copies of all requested documents, records and

information relating to the BHJH Exchange Property to the extent in the possession or control of BHJH, including, but not limited to: existing title insurance policies, surveys, and any engineering and environmental reports.

UNMC shall have ninety (90) days from the Effective Date of this Agreement to satisfy the conditions of this Section 10, such period being designated as the “Due Diligence Period”. These conditions are for the benefit of UNMC and must be satisfied or waived before UNMC is obligated to close on this transaction. If UNMC determines, in UNMC’s sole discretion, that the conditions have not been satisfied, UNMC shall have the right to terminate this Agreement by delivering written notice to BHJH prior to the expiration of the Due Diligence Period, in which event neither UNMC nor BHJH shall have any further obligation or liability to each other under this Agreement. If UNMC fails to provide such notice prior to the expiration of the Due Diligence Period, then UNMC shall be deemed to have waived such conditions.

**11. BHJH’s Conditions Precedent.** BHJH’s obligation to close on the exchange of the BHJH Exchange Property for the UNMC Exchange Property shall be conditioned upon satisfaction of the contingencies set forth in the following paragraphs A through E, inclusive, during the Due Diligence Period, as defined below, and shall be further conditioned upon satisfaction of the contingency set forth in paragraph F below prior to the Closing Date:

- A. Testing.** BHJH, and one or more independent engineers, surveyors, appraisers, consultants, specialists or firms chosen by BHJH in its sole discretion, shall have the right to access the UNMC Exchange Property to conduct, at BHJH’s cost, such inspections or tests as BHJH deems necessary, including, but not limited to, a Phase I Environmental Site Assessment, a Limited Subsurface Investigation, and any other environmental inspections. All such testing will be completed within the Due Diligence Period. BHJH shall restore the UNMC Exchange Property to the condition which existed prior to any such testing. If BHJH conducts any such testing, it shall indemnify and hold UNMC harmless from and against any loss, claim, expense, or demand arising out of such inspection or testing. BHJH acknowledges that it has received and reviewed, prior to the date hereof, a Phase I Environmental Site Assessment prepared by Terracon and dated July 25, 2016 (Terracon Project No. 05167802) (the “UNMC Exchange Property Environmental Report”).
- B. Survey.** BHJH may, at its option, obtain an ALTA/ACSM Land Title Survey (the “Survey”) reflecting, among other things, the boundary legal descriptions, the quantities of land, and the locations of all easements on the UNMC Exchange Property. BHJH shall have the right to review and approve the Survey

and specifically the locations and restrictions of the easements located on the UNMC Exchange Property.

- C. Fuel Storage Tanks.** UNMC shall have removed the underground fuel storage tanks located on the UNMC Exchange Property and as identified in the UNMC Exchange Property Environmental Report, in accordance with Nebraska Department of Environmental Quality (“DEQ”) and Nebraska State Fire Marshal regulations and requirements. UNMC shall restore the area affected by the removal of the underground storage tanks. UNMC shall enter the UNMC Exchange Property into the Voluntary Remedial Action Program with the State of Nebraska to achieve site closure for the underground storage tanks and obtain a No Further Action Letter from DEQ. If a No Further Action Letter cannot reasonably be obtained prior to expiration of the Due Diligence Period, then UNMC shall continue to diligently pursue such letter from DEQ as a post-closing obligation, at UNMC’s expense.
- D. Existing Due Diligence Materials.** During the Due Diligence Period, UNMC shall deliver to BHJH and BHJH shall have the right to inspect, copies of all requested documents, records and information relating to the UNMC Exchange Property to the extent in the possession or control of UNMC, including, but not limited to: existing title insurance policies, surveys, and any engineering and environmental reports.
- E. Feasibility.** BHJH shall have determined that the construction and use of the UNMC Exchange Property is economically feasible, including the availability of tax increment financing, in BHJH’s sole discretion.
- F. Land Use.** BHJH shall have received land use approvals from the City of Omaha to operate an auto repair service and auto body and fender repair service on the UNMC Exchange Property, on terms and conditions acceptable to BHJH in its sole discretion.

BHJH shall have until the expiration of the Due Diligence Period or, with respect to condition 11(F), until the Closing Date, as set forth above, to satisfy the conditions of this Section 11. These conditions are for the benefit of BHJH and must be satisfied or waived before BHJH is obligated to close on this transaction. If BHJH determines, in BHJH’s sole discretion, that the conditions have not been satisfied, BHJH shall have the right to terminate this Agreement by delivering written notice to UNMC prior to the expiration of the Due Diligence Period or the Closing Date, as applicable, in which event neither UNMC nor BHJH shall have any further obligation or liability to each other under this Agreement. If BHJH fails to provide such notice prior to the expiration of the Due Diligence Period or

the Closing Date, as applicable, then BHJH shall be deemed to have waived such conditions

**12. Approval of the Board of Regents.** The signature of BHJH on this Agreement shall constitute an offer of BHJH to exchange the BHJH Exchange Property for the UNMC Exchange Property upon the terms and conditions stated herein. UNMC shall obtain the written approval of the Board of Regents of the University of Nebraska of this Agreement and the purchase contemplated herein at the November 17, 2016, Board of Regents regularly scheduled meeting, or as soon thereafter as reasonably practicable. Such date of signature by the Board of Regents shall be the Effective Date of this Agreement. If the Board of Regents does not approve this Agreement and the transaction contemplated herein at said meeting, UNMC shall notify BHJH thereof and this Agreement shall terminate and UNMC and BHJH shall thereafter have no further obligation or liability to each other under this Agreement.

**13. Right of First Refusal.** At closing, BHJH agrees to grant to UNMC an exclusive right of first refusal (the "Right") to purchase the UNMC Exchange Property from BHJH. If after the Closing Date, BHJH receives a bona fide offer to purchase the UNMC Exchange Property from an unrelated third party, which BHJH intends, in its sole and absolute discretion, to accept, BHJH shall send notice thereof to UNMC accompanied by a copy of the bona fide third party offer. UNMC shall have sixty (60) days to exercise its Right to purchase the UNMC Exchange Property on the same terms and conditions contained in the third party offer. If UNMC does not exercise its Right within said sixty (60) day time period, BHJH shall be entitled to proceed to sell the UNMC Exchange Property to the third party making the offer. UNMC and BHJH agree to execute a Memorandum or short form of the Right to be recorded against the UNMC Exchange Property.

**14. Lease.** UNMC and BHJH acknowledge and agree that BHJH shall retain possession of the BHJH Exchange Property on the Closing Date pursuant to the terms and conditions of this Section 14 of this Agreement (Section 14 shall be referred to herein as the "Lease").

**A. Term.** BHJH shall have the right to remain in possession of the BHJH Exchange Property until sixty (60) days after the City of Omaha issues a Certificate of Occupancy with respect to the auto repair service and auto body repair shop and other improvements that BHJH intends to construct on the UNMC Exchange Property; provided, however, that the Lease shall terminate no later than 24 months following the Closing Date. UNMC agrees that it will not, during the term of the Lease, institute proceedings under any power of eminent domain to terminate the Lease or the leasehold interest of BHJH in the BHJH Exchange Property;

**B. Base Rent.** The Base Rent payable by BHJH to UNMC for the entire term of the Lease shall be One and No/100 Dollar;

- C. Additional Rent.** The Base Rent shall be net to UNMC during the lease term. All costs, expenses, and obligations of every kind relating to the BHJH Exchange Property including, but not limited to, real estate taxes, utilities, maintenance costs, and insurance, which may arise or become due during the lease term shall be paid by Tenant as “Additional Rent”, and UNMC shall be indemnified by BHJH against such costs, expenses and obligations;
- D. Taxes.** The BHJH Exchange Property should become exempt from real estate taxation upon the transfer of ownership to UNMC. However, if assessed, BHJH shall pay and discharge as they become due, promptly and before delinquency, all general real estate taxes imposed on the BHJH Exchange Property or attributable to the BHJH Exchange Property, including all governmental charges of whatsoever name, nature, and kind which shall be levied, assessed, charged, or imposed or which may become a lien or charge on or against the BHJH Exchange Property or any part thereof during the term of this Lease;
- E. Services and Utilities.** All expenses and charges for all utilities furnished to the BHJH Exchange Property shall be paid by BHJH directly to the utility companies providing the same;
- F. Maintenance.** BHJH, at BHJH’s sole cost and expense, shall keep and maintain every part of the BHJH Exchange Property, in good order, condition and repair in a quality and class equal to the condition on the Closing Date, ordinary wear and tear excepted. BHJH shall make all reasonably necessary repairs and replacements on every part of the BHJH Exchange Property consistent with the business being conducted by BHJH thereon; provided, however, that in no event shall BHJH be required to make capital improvements to the BHJH Exchange Property. BHJH shall be entitled to remove any fixtures, signs and equipment from the BHJH Exchange Property;
- G. Insurance.** BHJH shall maintain insurance coverages with responsible insurance companies admitted to do business in the State of Nebraska during the term of this Lease, and shall provide UNMC with copies of such insurance binders evidencing the existence of such coverage, including comprehensive general public liability insurance and property damage coverage covering the building on the BHJH Exchange Property and naming UNMC as an additional insured, workers’ compensation and employer liability coverage as may be required by the State of Nebraska, and property coverage and



contents insurance on BHJH's personal property fixtures, furnishings and equipment;

- H. Indemnification.** BHJH hereby agrees to indemnify and hold harmless UNMC, its agents, and employees from and against any and all claims or demands for the loss, theft, or damage to property or for injury or death to any person arising from or occasioned by any act or omission of BHJH, or of anyone holding under BHJH or the occupancy or use of the BHJH Exchange Property or any part thereof by or under BHJH during the term hereof, except to the extent that such claim is compensated by insurance and except further that BHJH's indemnification shall not include an indemnification for liability for the gross negligence or willful misconduct of UNMC, its agents, or employees. BHJH shall indemnify and hold UNMC, its agents, and employees harmless from and against any and all claims and liability arising from any breach or default by BHJH under this Lease;
- I. Liens.** BHJH shall keep the BHJH Exchange Property free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by BHJH. BHJH hereby indemnifies UNMC against liens, costs, damages, and expenses with respect to any such BHJH alteration, addition, or improvement;
- J. Environmental Compliance.** Neither BHJH nor BHJH's agents shall cause or permit any Hazardous Materials (as hereinafter defined), other than inventory and supplies that are customary for the permitted use of the BHJH Exchange Property as an automobile service and repair shop and janitorial supplies in reasonable quantities which are used in accordance with manufacturer's instructions and applicable law, to be brought upon, stored, used, generated, released into the environment, or disposed of on, in, under, or about the BHJH Exchange Property, without the prior written consent of UNMC, which consent may be withheld in UNMC's reasonable discretion. BHJH hereby agrees to indemnify, defend, protect, and hold harmless UNMC and its agents, successors and permitted assigns, from any and all claims, judgments, damages, penalties, fines, costs, liabilities, and losses (including, without limitation, sums paid in settlement of claims, attorneys' fees, consultant fees, and expert fees) that arise during or after the term hereof directly or indirectly from the presence of Hazardous Materials on, in, or about the BHJH Exchange Property which is or was caused or permitted by BHJH or its agents during the term hereof.

The term "Hazardous Materials" shall mean and include any hazardous or toxic materials, substances, or wastes including (a) any materials, substances, or wastes that are toxic, ignitable, corrosive, or reactive and that are regulated by any local governmental authority, any agency of the state of Nebraska, or any agency of the United States government, (b) petroleum and petroleum-based products, (c) urea formaldehyde foam insulation, (d) polychlorinated biphenyls ("PCBs"), (e) freon and other chlorofluorocarbons and (f) asbestos and asbestos-containing materials; and

**K. Assignment.** Except for an assignment of this Lease to an entity owned in whole or in part, directly or indirectly, by Bruce Hansen and/or Joyce Hansen, for which no consent is required, BHJH shall not assign, sublease, or otherwise transfer, by operation of law or otherwise, this Lease or any portion thereof without the prior written consent of UNMC, in UNMC's sole discretion.

**15. Specific Performance.** In the event either party fails to perform its obligations under the terms of this Agreement, both parties acknowledge and agree that there exists no adequate monetary remedy to compensate the non-defaulting party. Therefore, in addition to any other remedy available at law or in equity, the non-defaulting party shall be entitled to enforce this Agreement by specific performance, and in such action for specific performance, the party bringing the action shall have the right to recover all costs associated with the action.

**16. Lien Affidavit.** Each undersigned party shall execute on the Closing Date an affidavit on the Title Company's form which will remove all standard exceptions to the other party's title insurance policy (excepting the standard survey exception which is only removable if such other party obtains a survey), as may be required by the Title Company.

**17. Further Assurances.** Each undersigned party will, whenever it shall be reasonably requested to do so by the other, promptly execute, acknowledge, and deliver, or cause to be executed, acknowledged, or delivered, any and all such further conveyances, confirmations, instruments, or further assurances and consents as may be necessary or proper, in order to effectuate the covenants and agreements herein provided. Each of the undersigned parties shall cooperate in good faith with the other and shall do any and all other acts and execute, acknowledge and deliver any and all documents so requested in order to satisfy the conditions set forth herein and carry out the intent and purposes of this Agreement.

**18. Interpretations.** Any uncertainty or ambiguity existing herein shall not be interpreted against either party because such party prepared any portion of this Agreement, but shall be interpreted according to the application of rules of interpretation of contracts generally.

**19. Assignment.** UNMC shall have the right, prior to closing, to assign this Agreement to a third party upon written notice to BHJH of such assignment. BHJH shall be entitled to assign this Agreement to an entity owned in whole or in part, directly or indirectly, by Bruce Hansen and/or Joyce Hansen, and to a qualified intermediary solely for the purpose of completing a like-kind exchange under IRC § 1031. Any other assignment shall require UNMC's consent.

**20. Entire Agreement.** This Agreement contains the entire agreement of the parties with respect to the subject matter hereof and it is expressly agreed that any prior oral or written agreements between the parties hereto are superseded by this Agreement and are no longer of any effect whatsoever. This Agreement cannot be modified or altered unless reduced to writing and consented to by all the undersigned parties.

**21. Notice and Demands.** Notice, demand, or other communication mandated to be given by this Agreement by either party to the other shall be sufficiently given or delivered if it is sent by registered or certified mail, postage prepaid, return receipt requested or by overnight delivery service. For such purposes, addresses for notice purposes are:

A. UNMC: The University of Nebraska Medical Center  
Attention: Deborah L. Thomas, Interim Vice  
Chancellor for Business & Finance  
986690 Nebraska Medical Center  
Omaha NE 68298-6680

with a copy to (which shall not constitute notice):  
Thomas C. Huston  
Attorney at Law  
Cline, Williams, Wright, Johnson & Oldfather LLP  
1900 US Bank Building  
233 South 13<sup>th</sup> Street  
Lincoln NE 68508  
Email: thuston@clinewilliams.com

B. BHJH: BH & JH Leavenworth, LLC  
Attn: Bruce and Joyce Hansen  
14540 Grover Street  
Omaha, NE 68144  
Email: jahflwrchld@gmail.com

with a copy to (which shall not constitute notice):  
Max Burbach  
Koley Jessen P.C., L.L.O.  
1125 South 103<sup>rd</sup> Street, Suite 800  
Omaha, NE 68124  
Email: max.burbach@koleyjessen.com

**22. Execution in Counterparts.** This Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.

**23. Survival.** The terms, conditions, and obligations of this Agreement shall survive closing and shall not merge with or into the Deed.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, the parties have executed this Exchange Agreement as of the date first above written.

**“UNMC”**

Board of Regents of the University of Nebraska, a public body corporate of the State of Nebraska and governing body of the University of Nebraska Medical Center

Attest: \_\_\_\_\_  
Carmen K. Maurer,  
Secretary

By: \_\_\_\_\_  
Hank Bounds, President

**“BHJH”**

BH & JH Leavenworth, LLC, a Nebraska limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## **EXHIBIT "A"**

### **BHJH Exchange Property**

**Parcel A: Lot 3, Block 2, Leavenworth Terrace, and that portion of the vacated alleys in Block 2, Leavenworth Terrace, an addition to the City of Omaha, said vacated alleys described as follows: Commencing at the Northwest corner of said Lot 3, running thence south 54 feet, along the West line of said Lot 3, thence East 114 feet along the South line of said Lot 3, to the Southeast corner of said Lot 3, thence South 6 ½, feet, thence West 118 feet, thence North 60 ½, feet, thence East 4 feet, to the place of beginning, all as surveyed, platted and recorded, Douglas County, Nebraska.**

**Parcel B: Lot 4, except the East 5.0 feet of the south 10.0 feet of said lot deeded to the City of Omaha for public purposes, and the East 57 feet of Lot 5, Block 2, Leavenworth Terrace, an addition to the City of Omaha, as surveyed, platted and recorded, and the South ½, of the vacated alley adjoining on the North, Douglas County, Nebraska.**

**Parcel C: The West 4 feet of Lot 5, all of Lot 6, and the East 25 feet of Lot 7, all in Block 2, Leavenworth Terrace, an addition to the City of Omaha, as surveyed, platted and recorded, together with the South ½, of the vacated alleys adjoining on the North, Douglas County, Nebraska.**

**EXHIBIT "B"**

**UNMC Exchange Property**

Lot 1, Block 2, Thornburg Place, an Addition to the City of Omaha, Douglas County, Nebraska, except the North 5 feet of the West 5 feet thereof, and except that part granted to the City of Omaha by Warranty Deed filed August 10, 2006, as Instrument No. 2006091442, Official Records, Douglas County, Nebraska.

4821-5591-1738, v. 1

TO: The Board of Regents Addendum IX-B-5  
Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Increase project budget to extend utilities connections to a Nebraska Medicine Integrated Services Center project.

RECOMMENDED ACTION: Approve the additional project budget to extend utilities connections to a Nebraska Medicine Integrated Services Center project.

PREVIOUS ACTION: July 22, 2016 – The Board of Regents approved the sale of a parcel of land (50% of the acquired property that was the subject of the September, 2012 action below) to Nebraska Medicine to provide a site for the construction of their Integrated Service Center.

September 14, 2012 – The Board of Regents approved the purchase of real property located at 3863 Mason Street (also referred to as 39<sup>th</sup> and Pacific).

EXPLANATION: UNMC is currently engaged in a utility project that connects utilities from the central utility plant to the iExcel site, Lauritzen Outpatient facility, and to Leavenworth Street, with the latter action designed to facilitate future projects. UNMC bid the utility project and has contracted for installation of the work at a total project cost of \$1,995,000. As part of the bidding process, unit price bids were also obtained, should the need to extend the project become necessary.

Nebraska Medicine is in the process of planning and constructing an Integrated Services building at 39<sup>th</sup> and Pacific Street. This site was the subject of a land sale from UNMC to Nebraska Medicine that was approved by the Board of Regents earlier in 2016.

It is advantageous for Nebraska Medicine to utilize the competitive bid obtained by UNMC to extend the utilities to the Integrated Services site. This action will require a budget change of \$1,750,000 that will be reimbursed to UNMC by Nebraska Medicine from hospital funds.

The project was reviewed and recommended for approval by the Business Affairs Committee.

PROJECT COST:	Prior budget	\$1,995,000
	Estimated cost for Nebraska Medicine extension	<u>1,750,000</u>
	Total budget as revised	<u>\$3,745,000</u>

SOURCES OF FUNDS:	Cash funds (original budget)	\$1,995,000
	Nebraska Medicine funds (cost for extension)	<u>1,750,000</u>
	Total sources of funds	<u>\$3,745,000</u>



SPONSOR:

Deborah L. Thomas  
Vice Chancellor for Business and Finance

RECOMMENDED:



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Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

DATE:

October 24, 2016

TO: The Board of Regents Addendum IX-B-6

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Creation of a non-profit 501(c)(3) for UNMC technology transfer.

RECOMMENDED ACTION: Approve the creation of a non-profit 501(c)(3) for UNMC technology transfer under the parent corporation of UTDC.

PREVIOUS ACTION: November 27, 1991 - UNeMed, a for profit company, was approved by the Board of Regents for UNMC technology transfer.

EXPLANATION: The UTDC Board voted on September 30, 2016 to endorse the creation of a non-profit 501(c)(3) for UNMC technology transfer. This would create a technology transfer structure similar to the other external University of Nebraska technology transfer offices. The Board of Directors shall consist of five to ten members appointed by the Chancellor of UNMC. A majority of the Directors should not be employed or affiliated with the University of Nebraska.

This will allow the non-profit UNeMed, which will retain the UNeMed name, to access foundations that support non-profit activities. It also allows for a separation of technology transfer activities and international business activities, which will remain with the for-profit entity, to be renamed UNeMed Enterprises, which carry different risks/awards and tax liabilities. This will also permit UNeMed to optimally support new commercialization initiatives.

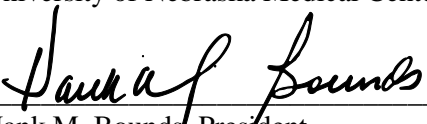
Furthermore, it will allow UNeMed to recruit high level external board directors that are CEO's of publically traded companies. Current guidance from Institutional Shareholder Services permits a CEO of a publically traded company to sit on only two for-profit companies other than their own.

The creation of the non-profit was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: None.

SOURCE OF FUNDING: N/A

SPONSOR: Jeffrey P. Gold. Chancellor  
University of Nebraska Medical Center

RECOMMENDED:   
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 24, 2016

TO: The Board of Regents Addendum IX-B-7

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Student Housing Improvements at the University of Nebraska Omaha (UNO).

RECOMMENDED ACTION: Approve the attached Resolution authorizing the expenditure of \$1,045,000 from the Bond Surplus/Replacement Funds to make student housing improvements.

PREVIOUS ACTION: During the last five years the Board of Regents approved similar requests as follows:

<u>Prior approvals</u>	<u>Amount</u>
January 2016	\$1,020,000
April 2015	1,245,000
May 2014	1,095,000
March 2013	1,270,000
March 2012	1,125,000

EXPLANATION: Section 6.2 of the Bond Resolution (May 1, 1984) requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extensions and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted. The projects described on the accompanying pages will improve the facilities and better serve UNO student housing residents.

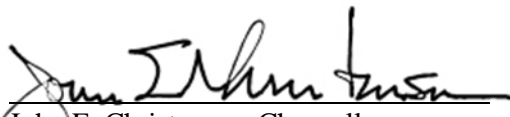
Funding will come from surplus funds. The uncommitted balance at June 30, 2016 (after transfers in) was approximately \$4.5 million.

This item was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: \$1,045,000

SOURCE OF FUNDS:	Bond Surplus Funds – Student Housing	\$875,000
	Bond Replacement Funds – Student Housing	<u>170,000</u>
		<u>\$1,045,000</u>

SPONSOR: William E. Conley  
Vice Chancellor for Business & Finance

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

DATE: October 24, 2016

## RESOLUTION

BE IT RESOLVED by the Board of Regents of the University of Nebraska (the "Board") as follows:

1. The Board hereby finds and determines:
  - (a) Pursuant to (i) its General Bond Resolution dated May 1, 1984, authorizing the issuance of Revenue Bonds by the Board (the "General Resolution"), and (ii) the Sixth series Resolution, dated November 1, 1993 (the "Sixth Series Resolution"), the Board has heretofore issued revenue bonds payable from the revenues and fees derived from the ownership and operation of (A) the Milo Bail Student Center (the "Student Center"), (B) the student residence facilities known as (I) Scott Village, (II) Maverick Village, (III) University Village, and (IV) Scott Court (collectively, the "Student Housing Facilities"), (C) the parking facilities (the "Parking Facilities"), and (D) the student health and recreation facilities (the "Student Health/Recreation Facilities"), all located on the campus of the University of Nebraska at Omaha. The Student Center, the Student Housing Facilities, the Parking Facilities and the Student Health/Recreation Facilities constitute the "UNO Student Revenue Facilities" under the Master Trust Indenture dated as of June 1, 1995 as amended and supplemented from time to time. The Sixth Series Resolution created the Sixth Series Surplus and Sixth Series Replacement Funds in accordance with Section 3.1 of the General Resolution.
  - (b) Section 6.2 of the General Resolution requires the Board to operate the facilities in an efficient, sound and economical manner and to keep all facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extensions and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted.
  - (c) University Village, Maverick Village, Scott Court and Scott Village require certain renewals, replacements, betterments and equipment to maintain the Sixth Series Revenues and Fees. In order to accomplish such renewals, replacements, betterments and acquisitions of equipment, the sum of \$1,045,000 should be expended from the Sixth Series Replacement Fund as indicated on the attached schedule.
2. Authorization. The Board hereby authorizes the transfer of up to \$875,000 from the Sixth Series Surplus Fund established pursuant to the General Resolution and the Sixth Series Resolution to the Sixth Series Replacement Fund, and the expenditure of up to \$1,045,000 from the Replacement Fund for the projects herein identified with \$1,045,000 for student housing. The Vice Chancellor for Business and Finance or the Associate Vice Chancellor for Business and Finance of the University of Nebraska Omaha are hereby designated as the University representatives who may certify to the Trustee the specific payments to be made from the Sixth Series Replacement Fund.
3. Surplus Funds. There are currently moneys or investments in the Sixth Series Surplus Fund, including accruals, in excess of \$875,000 and in the Sixth Series Replacement Fund, including accruals, in excess of \$170,000.

## Student Housing Projects

<u>Project</u>	<u>Funding Required</u>	<u>Description</u>
<u>University Village</u> Roof	\$825,000	Repair roofs, gutters, downspouts
<u>Maverick Village</u> ADA Door Openers	50,000	Install ADA Automatic Door Openers
<u>Scott Court</u> Roof	20,000	Repair roofs
Sidewalk	10,000	Repair sidewalks
Siding	24,000	Repair, replace, paint siding
Building Waterproofing	21,000	Improve the drainage away from buildings and improve waterproof seals
<u>Scott Village</u> Patio Decking	60,000	Perform maintenance and replace wood decking with composite materials
Interior Entry Doors	<u>35,000</u>	Replace interior entry doors
Total	<u>\$1,045,000</u>	

TO: The Board of Regents Addendum IX-B-8

Business Affairs Committee

MEETING DATE: November 18, 2016

SUBJECT: Replacement purchase and installation of University of Nebraska – Lincoln Memorial Stadium video screens & ribbon boards equipment.

RECOMMENDED ACTION: Approve the budget and replacement purchase and installation of the University of Nebraska-Lincoln Memorial Stadium video screens and ribbon boards in accordance with Regents Policy 6.2.1

PREVIOUS ACTION: September 16, 2005 – The Board of Regents approved the purchase and installation of video screens in Memorial Stadium in 2005.

EXPLANATION: Memorial Stadium is a Nebraska icon, a place that unites Husker fans and connects them to what UNL hopes is the greatest college football environment in the country. In order to preserve and promote this special place, as well as sustain the pride its fans take in it, it is recommended that the video and ribbon boards be replaced with new, higher definition, equipment. Recognizing the difficulty in estimating the useful life of equipment when technologies are constantly changing, UNL believes that the estimated life of the new equipment is approximately ten years.

The present video and ribbon boards were installed in 2006 and are now ten years old and past their useful life. Current maintenance is extremely challenging as the manufacturers no longer make replacement parts. The risk of operating failure is real. Failure would jeopardize and perhaps negatively impact sponsorship revenues which are a major component of funding athletic operations.

UNL proposes to issue a request for proposals in accordance with the bidding processes described in RP 6.2.1. The RFP will seek bids to replace the north stadium's 33 by 117 foot video screen, the video screens on the southeast, southwest, northeast and northwest towers, as well as the ribbon boards on the east and west sides of the stadium. The northeast and northwest tower video screens will be enhanced to provide greater access to video content for fans in the north stadium seating areas. Proposals for the purchase and installation of the video screens and ribbon boards will be sought from qualified vendors with the project costs to be paid by Athletic Department auxiliary funds.

Funding for the project will come from athletic revenues and no state aided funds (appropriation or tuition) are involved.

Proposed start of construction  
Proposed completion of construction

March 2017  
July 2017

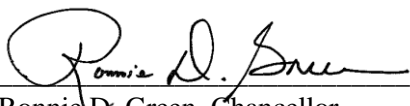
The project was reviewed by the Business Affairs Committee and is recommended for approval.

PROJECT COST: \$6,250,000

ON-GOING FISCAL IMPACT: Annual Operating Costs N/A

SOURCE OF FUNDS: Auxiliary Funds

SPONSORS: Shawn Eichorst  
Director of Athletics  
  
Christine A. Jackson  
Vice Chancellor for Business & Finance

RECOMMENDED:   
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016

TO: The Board of Regents Addendum IX-B-9

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Funding Request for the Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approve the Funding Request and attached resolution authorizing expenditure of up to \$7,300,000 for the Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center at the University of Nebraska-Lincoln

PREVIOUS ACTION: November 20, 2014 – The Board of Regents approved the Program Statement and Budget for the 17th Street Dining Complex at the University of Nebraska-Lincoln. The 17th Street Dining Complex is located across the street from the the Cather Pound Neihardt (CPN) Dining Center, and will be open by the fall semester, 2017.

June 17, 2011 – The Board approved the Program Statement and Budget for the 18<sup>th</sup>/19<sup>th</sup> & R St. Residence Hall project, (renamed University Suites and Eastside Suites) which included notice that Cather and Pound Halls would be demolished as early as May 2014. The Program Statement also indicated that a study was under way to determine whether CPN Dining Center should be renovated or, alternatively, replaced.

September 6, 2007 – The Board approved Board of Regents Policy RP-6.4.9 requiring that residential facilities under the direction of the University of Nebraska Board of Regents adhere to best safety practices. The policy required sprinkling of University-sanctioned housing by 2017.

March 1, 2003 – The Board received a presentation relating to the UNL Housing Master Plan which supported and recommended, among other things, renovation or replacement of Cather and Pound Residence Halls.

EXPLANATION: The requested funding will pay for demolition of Cather Hall, Pound Hall and CPN Dining Center, all located on City Campus. The project includes abatement of contaminated materials and removal of fixed equipment and furnishings prior to demolition.

The three buildings were constructed in 1963. Cather and Pound Residence Halls are 13- story towers located along N. 17<sup>th</sup> Street with the two-story CPN Dining Center in the middle, connecting Cather and Pound. The three structures include a total of 245,000 gross square feet and are located at 513 N. 17<sup>th</sup>, 527 N. 17<sup>th</sup>, and 609 N. 17<sup>th</sup> St. A 2010 study of Cather and Pound Residence Halls, conducted by an outside architect/engineering consultant, identified life safety, building code, and exterior façade deficiencies. The study concluded that renovation of the Cather and Pound Residence Halls was not recommended due to the high cost of renovation, compared to



replacement with newer facilities. In June 2011, the Board of Regents approved the construction of two new suite-style halls, University Suites and Eastside Suites, as replacements for Cather and Pound Residence Halls. These residential facilities opened in fall 2013 and 2014 respectively.

Following a 2011-2012 study of the CPN Dining Facility conducted by an outside architect/engineering consultant, the University reviewed options for renovating or replacing the existing CPN Dining Center. Due to the need for expansion as well as the high cost of renovation compared to replacement, it was determined that the optimal solution was to construct a new dining center. The replacement for the CPN Dining Center, the 17<sup>th</sup> Street Dining Complex, is under construction and will be operational during the summer of 2017.

A November 2014 study conducted by UNL showed that the cost of bringing Pound Hall up to current code and to meet Board requirements for sprinkling would be \$22.7 million. This level of investment would likely not be recoverable, supporting the conclusion that replacement was the more viable and cost-effective option.

Demolition of Cather and Pound Residence Halls, and the CPN Dining Center, is expected to begin in May 2017, with site restoration complete by November 2018.

Funding for this project will come from surplus funds. The uncommitted balance at June 30, 2016 (after year end transfers in) was approximately \$44 million.

The funding request was reviewed by the Business Affairs Committee and is recommended for approval.

Proposed start of abatement & demolition	May 2017
Proposed completion of abatement & demolition	November 2018

PROJECT COST: \$7,300,000

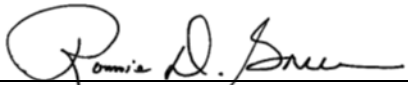
ONGOING FISCAL IMPACT: N/A

SOURCE OF FUNDS: Bond Surplus Funds \$7,300,000

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

Juan N. Franco  
Vice Chancellor for Student Affairs

RECOMMENDED:

  
\_\_\_\_\_  
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016

**A RESOLUTION PROVIDING FOR THE USE OF SURPLUS FUND MONEY HELD UNDER THE 1964 RESOLUTION FOR DEMOLITION OF CATHER HALL, POUND HALL AND THE CATHER-POUND DINING CENTER**

**WHEREAS**, The Board of Regents of the University of Nebraska (the “**Board**”), pursuant to the provisions of Article XIII, Section 1 of the Constitution of the State of Nebraska and Sections 85-403 to 85-411, inclusive, Reissue Revised Statutes of Nebraska, as amended, (the “**Act**”), is authorized to construct, purchase or otherwise acquire, furnish and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, and for the other purposes specified in the Act, and to pay the costs thereof by issuing revenue bonds payable solely out of its revenues other than funds derived from taxation; and

**WHEREAS**, under and pursuant to the Act, the Board has previously adopted its Resolution, dated as of December 1, 1964 (hereinafter referred to as the “**1964 Resolution**”), authorizing the issuance of revenue bonds to finance the construction or acquisition and furnishing and equipping of buildings and facilities of the type specified in the Act on the University of Nebraska Lincoln campus, and under which a surplus fund (the “**Surplus Fund**”) and a replacement fund (the “**Replacement Fund**”) were created; and

**WHEREAS**, Section 3.10 of the Resolution provides that, at the option of the Board, the Surplus Fund may be drawn upon to increase the amount in the Replacement Fund; and

**WHEREAS**, the Board has determined it necessary and desirable to construct new facilities, University Suites, Eastside Suites and the 17<sup>th</sup> Street Dining Complex (the “**Replacement Facilities**”) to replace Cather Hall, Pound Hall and the Cather-Pound Dining Center, which includes the demolition of Cather Hall, Pound Hall and the Cather-Pound Dining Center, (collectively, the “**Replacement Projects**”) in order to operate efficiently and maintain maximum use and occupancy of the Facilities as defined under the 1964 Resolution; the Board has issued its bonds under the 1964 Resolution to finance such Replacement Facilities as part of the Replacement Project; the revenues of such Replacement Facilities have been pledged for payment of the bonds issued under the 1964 Resolution; and additional funds are necessary to complete the demolition projects associated with the Replacement Project; and

**WHEREAS**, in order to accomplish the demolition of Cather Hall, Pound Hall and the Cather-Pound Dining Center as part of the Replacement Project, it is necessary and desirable that the sum of \$7,300,000 be transferred from the Surplus Fund to the Replacement Fund for such purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA AS FOLLOWS:**

The Board hereby authorizes the transfer of up to \$7,300,000 from the Surplus Fund to the Replacement Fund for the demolition projects associated with the Replacement Project. The Vice Chancellor for Business and Finance at the University of Nebraska-Lincoln is hereby designated as the University representative who may certify to the Trustee the specific payments to be made from the Replacement Fund.

TO: The Board of Regents  
Academic Affairs

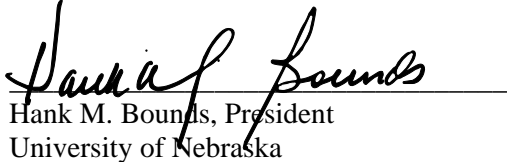
MEETING DATE: November 18, 2016

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.

SPONSOR:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 31, 2016

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

### **Strategic Planning Framework**

**2014-2016**

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.
    - i. *The University will offer a variety of its academic programs by distance education through Online Worldwide in an effort to provide access to the University of Nebraska to the people of the state and beyond the boundaries of the state who are unable to enroll in programs offered only on campus.*
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. *Analyze areas of future workforce demand, including job and self-employment opportunities in non-growth rural communities and economically disadvantaged urban areas, and strengthen or develop curricula and programs appropriate to the 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 Student Achievement Measure (SAM) program.*
  - 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

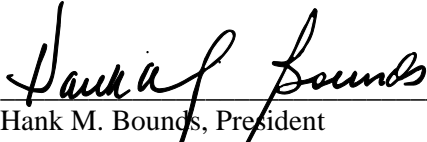
MEETING DATE: November 18, 2016

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.

SPONSOR:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 31, 2016

## INVESTING IN NEBRASKA’S FUTURE

### Strategic Planning Framework 2014-2016 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 2016-17	Maintain the State’s proposed funding increase of 3.4% and manage the cost effectiveness of the University so that tuition increases are kept at a moderate and predictable 2.5% rate of increase.	May 2016	Business
FY 2017-18	To be developed as part of the 2017-19 biennial budget request planning process.	June 2017	Business
FY 2018-19	To be developed as part of the 2017-19 biennial budget request planning process.	May 2018	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 2016-17	Maintain the State’s proposed funding increase of 3.4% and manage the cost effectiveness of the University so that tuition increases are kept at a moderate and predictable 2.5% rate of increase.	May 2016	Business
FY 2017-18	To be developed as part of the 2017-19 biennial budget request planning process.	June 2017	Business
FY 2018-19	To be developed as part of the 2017-19 biennial budget request planning process.	May 2018	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 2014-15	Raise at least \$9 million in private funds (endowment and/or spendable)	<del>Jan. 2016</del> March 2016	Academic
FY 2015-16	Raise at least \$9 million in private funds (endowment and/or spendable)	Jan. 2017	Academic
FY 2016-17	Raise at least \$9 million in private funds (endowment and/or spendable)	Jan. 2018	Academic

*Reporting date moved from September to January beginning in 2016 due to availability of data.*

*January 2016 report moved to March 2016 at the request of the President and Provost.*

### 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 2016	<ul style="list-style-type: none"> <li>• UNL increase enrollment 4.6%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Nov. 2016	Academic
Fall 2017	<ul style="list-style-type: none"> <li>• UNL increase enrollment 3.0%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Oct. 2017	Academic
Fall 2018	<ul style="list-style-type: none"> <li>• UNL increase enrollment 2.9%</li> <li>• UNO increase enrollment 4.5%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Nov. 2018	

*Oct. 2015 – Metrics referred to the Academic Affairs committee for further discussion.*

### 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
2013-14 Academic Year	<ol style="list-style-type: none"> <li>1) Each campus will maintain or reach the average six-year graduation rate of its peers.</li> <li>2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.</li> </ol>	<del>Jan. 2016</del> March 2016	Academic
2014-15 Academic Year	<ol style="list-style-type: none"> <li>1) Each campus will maintain or reach the average six-year graduation rate of its peers.</li> <li>2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.</li> </ol>	Jan. 2017	Academic
2015-16 Academic Year	<ol style="list-style-type: none"> <li>1) Each campus will maintain or reach the average six-year graduation rate of its peers.</li> <li>2) All prospective and current undergraduate students are regularly informed and assisted in obtaining the benefit of the University's four-year graduation guarantee.</li> </ol>	Jan. 2018	Academic

*January 2016 report moved to March 2016 at the request of the President and Provost.*

**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 2015-16	<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>	May 2016	Business
FY 2016-17	<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>	June 2017	Business
FY 2017-18	<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>	May 2018	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 2014	<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>	Jan. 2016	Academic
Fall 2015	<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>	Jan. 2017	Academic
Fall 2016	<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>	Jan. 2018	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 2016	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class to 50.0% or greater.	Nov. 2016	Academic
Fall 2017	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class to 50.0% or greater.	Oct. 2017	Academic
Fall 2018	Main enrollment of first-time freshmen ranked in the top quartile of their high school graduating class to 50.0% or greater.	Nov. 2018	Academic

**9. Merit-based Scholarships (3-b-ii)**

*Increase support for merit-based scholarships.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
FY 2014-15	Raise at least \$9 million in private funds (endowment and/or spendable).	Jan. 2016 March 2016	Academic
FY 2015-16	Raise at least \$9 million in private funds (endowment and/or spendable).	Jan. 2017	Academic
FY 2016-17	Raise at least \$9 million in private funds (endowment and/or spendable).	Jan. 2018	Academic

*Reporting date moved from September to January beginning in 2016 due to availability of data.*

*January 2016 report moved to March 2016 at the request of the President and Provost.*

**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 2016	Increase the number of domestic nonresident undergraduate students by 1.5% percent annually.	Nov. 2016	Academic
Fall 2017	Increase the number of domestic nonresident undergraduate students by 1.5% percent annually.	Oct. 2017	Academic
Fall 2018	Increase the number of domestic nonresident undergraduate students by 1.5% percent annually.	Nov. 2018	Academic

**11. Workforce Development (3-h-i and 3-h-iii)**

*Analyze areas of future workforce demand, including job and self-employment opportunities in non-growth rural communities and economically disadvantaged urban areas, and strengthen or develop curricula and programs appropriate to the university in alignment with those areas. (3-h-i) Develop distance education and other educational programs that permit Nebraskans to prepare for jobs and opportunities to meet future workforce demands. (3-h-iii)*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2015	Address program alignment revisions to meet workforce needs based on Fall 2011 data.	March 2016	Academic
Fall 2016	Address program alignment revisions to meet workforce needs based on Fall 2011 data.	April 2017	Academic
Fall 2017	TBD	March 2018	Academic

## 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 2014-15	Increase UNL and UNMC federal research expenditures by 20% more than the weighted total federal appropriations per year on a three-year rolling average.	March 2016	Academic
FY 2015-16	Increase UNL and UNMC federal research expenditures by 20% more than the weighted total federal appropriations per year on a three-year rolling average.	April 2017	Academic
FY 2016-17	Increase UNL and UNMC federal research expenditures by 20% more than the weighted total federal appropriations per year on a three-year rolling average.	March 2018	Academic

## 13. Entrepreneurship (5-d)

*Support entrepreneurship education, training and outreach.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
2015	Increase over FY 2014 baseline numbers and evaluate and modify annual targets as appropriate 1) Entrepreneurship education a) Entrepreneurship student credit hours – 6,811 b) Number of entrepreneurship students – 2,292 2) Entrepreneurship outreach a) Attendees at seminars provided – 16,486 b) Website visits – 205,266 3) Business creation a) NU-affiliated companies formed – 11 b) NU licensing activity i) Patents disclosed – 164 ii) Patents filed – 200 iii) Patents awarded - 38 4) Business support a) Clients served – 9,542 b) Average investment - \$45,000 c) Average sales increase - \$64,000 d) Total jobs created – 951 e) Total jobs saved – 295	March 2016	Academic
2016	Increase over previous year. Evaluate and modify annual targets as appropriate.	April 2017	Academic
2017	Increase over previous year. Evaluate and modify annual targets as appropriate.	March 2018	Academic

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

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

**A capstone report on LB 605 was presented to the Board of Regents in January 2011.**



### 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
2015 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 Aa1 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on Capital Queue</li> <li>5) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> </ol>	<ol style="list-style-type: none"> <li>1) June 2016</li> <li><del>2) January 2016</del> December 2015</li> <li><del>3) January 2016</del> December 2015</li> <li>4) Quarterly</li> <li>5) May 2016</li> </ol>	Business
2016 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 Aa1 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on Capital Queue</li> <li>5) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> </ol>	<ol style="list-style-type: none"> <li>1) June 2017</li> <li>2) January 2017</li> <li>3) January 2017</li> <li>4) Quarterly</li> <li>5) June 2017</li> </ol>	Business
2017 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 Aa1 rating; exceed 1.15 coverage</li> <li>4) Capital: Report on Capital Queue</li> <li>5) Human Resources: Meet midpoint of peers in faculty and staff salaries</li> </ol>	<ol style="list-style-type: none"> <li>1) June 2018</li> <li>2) January 2018</li> <li>3) January 2018</li> <li>4) Quarterly</li> <li>5) May 2018</li> </ol>	Business

*In September 2014 and August 2015, it was stated that the short-term investment item will be considered for sun-setting after a discussion with the Business Affairs Committee.*

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

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

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2015	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. 2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	July 2016	Academic
Fall 2016	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. 2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	August 2017	Academic
Fall 2017	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. 2) Annual review by the Board of participation in pilot programs to measure student learning outcomes, such as the Collegiate Learning Assessment.	July 2018	Academic

### 17. Global Engagement - Study Abroad (3-d-i)

*Significantly increase the number of undergraduates studying abroad, with the goal of ultimately providing the opportunity for every undergraduate to study abroad.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Academic Year 2014-15	By 2019-20, the University shall increase the number of students who have studied abroad by 50%. Using the 2011-12 academic year as a baseline, when 1,187 students participated in study abroad, the number of students studying abroad by 2019-20 will increase to 1,780.	July 2016	Academic
Academic Year 2015-16	By 2019-20, the number of students who have studies abroad will reach 1,780, an increase of 50% over the number in 2011-12.	August 2017	Academic
Academic Year 2016-17	By 2019-20, the number of students who have studies abroad will reach 1,780, an increase of 50% over the number in 2011-12.	July 2018	Academic

*Metric was revised in January 2015 by the Academic Affairs committee with the consent of the incoming chair.*

**18. Global Engagement – International Student Enrollment (3-d-ii)**

*Significantly increase the number of international undergraduates and graduates studying at the university.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Fall 2016	By 2020-21, the University shall increase the number of international students enrolled to 6,036. Using the base academic year 2010-11 when 3,018 international students were enrolled, the University will achieve slightly more than 7% growth compounded each year to reach the goal.	Nov. 2016	Academic
Fall 2017	Continue progress toward doubling by 2020-21 the enrollment of international students by achieving average annual growth of slightly more than 7%.	Oct. 2017	Academic
Fall 2018	Continue progress toward doubling by 2020-21 the enrollment of international students by achieving average annual growth of slightly more than 7%.	Nov. 2018	Academic

*Base academic year in the metric was corrected from 2009-10 to 2010-11 in November 2013; the number of students was unchanged.*

**19. Distance Education (1-g-i)**

*The University will offer a variety of its academic programs by distance education through Online Worldwide in an effort to provide access to the University of Nebraska to the people of the state and beyond the boundaries of the state who are unable to enroll in programs offered only on campus.*

Reporting Period	Accountability Measure	Report Date	Reporting Committee
Academic Year 2015-16	Growth in unduplicated headcount of distance only students, both resident and nonresident, at or above the national average growth for public four-year institutions as reported via IPEDS.	Nov. 2016	Academic
Academic Year 2016-17	Growth in unduplicated headcount of distance only students, both resident and nonresident, at or above the national average growth for public four-year institutions as reported via IPEDS.	Oct. 2017	Academic
Academic Year 2017-18	Growth in unduplicated headcount of distance only students, both resident and nonresident, at or above the national average growth for public four-year institutions as reported via IPEDS.	Nov. 2018	Academic

*Annual reporting moved from July to October/November beginning in 2015.*

*Oct. 2015 - New metric approved by the Academic Affairs committee, but not yet endorsed by the full Board of Regents.*

TO: The Board of Regents  
Academic Affairs

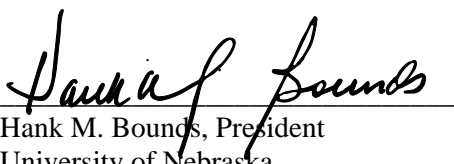
MEETING DATE: November 18, 2016

SUBJECT: University of Nebraska 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.

SPONSOR:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 31, 2016

## Strategic Framework Accountability Measure Reporting and Updating Calendar

Revised for November 18, 2016 meeting

<u>Date</u>	<u>Academic Affairs Committee</u>	<u>Business Affairs Committee</u>
January 29, 2016	<p>Graduation Rates [1-b-iii]  Faculty Diversity [2-a-iii]  <del>Need-based Financial Aid [1-a-iii]</del>  <del>Merit-based Scholarships [3-b-ii]</del></p>	<p>Administrative/Business Efficiencies [6-c-ii]  <i>(Endowment, Debt Management, Capital Queue)</i>  (were reported in December 2015)</p>
March 18, 2016	<p>Workforce Development [3-h-i &amp; iii]  Entrepreneurship [5-d]  Research [4-a-i]  Graduation Rates [1-b-iii] <i>(moved from January)</i>  Need-based Financial Aid [1-a-iii] <i>(moved from January)</i>  Merit-based Scholarships [3-b-ii] <i>(moved from January)</i></p>	<p>Administrative/Business Efficiencies [6-c-ii]  <i>(Capital Queue)</i></p>
April 14, 2016	UNL campus visit with discussion of campus strategic plan and performance indicators.	
May 26, 2016	None	<p>State Funding [1-a-i]  Tuition [1-a-ii]  Faculty Merit Compensation [2-a-i]  Administrative/Business Efficiencies [6-c-ii]  <i>(Short-term Cash/Investments, Capital Queue, HR)</i></p>
July 22, 2016	<p>Study Abroad [3-d-i]  Student Learning Assessment [6-g]</p>	None
September 2, 2016	UNMC campus visit with discussion of campus strategic plan and performance indicators.	
September 16, 2016	None	<p>Administrative/Business Efficiencies [6-c-ii]  <i>(Capital Queue)</i></p>
November 18, 2016	<p>Enrollment [1-b-i]  Nebraska Top 25% [3-b-i]  Nonresident Student Enrollment [3-c-i]  International Student Enrollment [3-d-ii]  Distance Education [1-g-i] <i>(moved to January)</i></p>	None

TO: The Board of Regents  
Academic Affairs

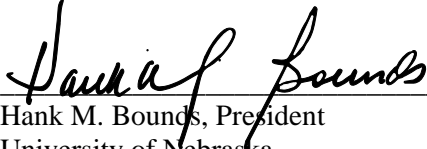
MEETING DATE: November 18, 2016

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.

SPONSOR:   
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 31, 2016

## University of Nebraska Strategic Dashboard Indicators (Updated as of September 16, 2016)

State Funding Change (1.a.i) FY2016-17		Tuition Change (1.a.ii) FY 2016-17		Enrollment Change (1.b.i) Fall 2015		Retention (1.b.i) Fall 2014		Need-Based Aid (1.a.iii) FY2013-14			
Target	Outcome	Target	Outcome	Target	Outcome	Target	Outcome	Target	Outcome		
	State funding and cost mgmt.= moderate and predictable tuition 3.4%		State funding and cost mgmt.= moderate and predictable tuition 1.75% 2015-16 2.5% 2016-17		UNL= 2.7% increase +1.0%		UNO= 3.0% increase +2.0%		80% retention rate 81.7%		Raise at least \$9 million in private funds Raised \$11.8 million
Women Faculty (2.a.iii) Fall 2014		Minority Faculty (2.a.iii) Fall 2014		Top 25% Enrollment (3.b.i) Fall 2015		Nonresident Students (3.c.i) Fall 2015		Merit-Based Aid (3.b.ii) FY2013-14			
Target	Outcome	Target	Outcome	Target	Outcome	Target	Outcome	Target	Outcome		
	Increase over 2013 2014=35.00% 2013=35.03%		Increase over 2013 2014=19.06% 2013=18.52%		Increase to 50% 51.3%		Increase 1.5% over 2013 +7.1%		Raise at least \$9 million in private funds Raised \$16.0 million		
Study Abroad (3.d.i) AY2014-15		International Students (3.d.ii) Fall 2015		Distance Education (3.g.i) AY2014-15		Six-Year Graduation Rate (1.b.iii) AY2013-14					
Target	Outcome	Target	Outcome	Target	Outcome	Campus	Target	Outcome	Outcome		
	50% increase over 2011-12 number by 2019-20 5% increase over prior year		Double base of 3,018 students by 2019-20 1.9% increase over prior year		Increase in-state and out-of-state distance only credit hours by 10% each In-state =+21% Out-of-state =+8%		UNL	Maintain or show progress toward reaching the average six-year graduation rate of peers	2014= -5.5% 2013= -4.8%		
							UNO		2014= 1.5% 2013= -0.9%		
							UNK		2014= 4.9% 2013= 1.2%		
							UNMC	Not applicable	Not Applicable		

**LEGEND:**



Target Met or Exceeded










Progress Toward Target



Target Not Met

## University of Nebraska Strategic Dashboard Indicators (Updated as of September 16, 2016)

Federal Research Funding Growth (4.a.i) UNL and UNMC FY2014-15						Faculty Salaries (2.a.i) FY2015-16				
	<u>Campus</u>	<u>Target</u>	<u>Outcome</u>	<u>Campus</u>	<u>Target</u>	<u>Outcome</u>	<u>Campus</u>	<u>Target</u>	<u>Outcome</u>	
	UNL	0.4%	-1.25%		UNMC	-2.0		UNL	2016= -4.2% 2015= -5.2%	
								UNMC	Significant progress toward exceeding midpoint of peers	
								UNO		*
								UNK		*







	<u>Indicator</u>	<u>Target</u>	<u>Outcome</u>
	<b>Four-Year Graduation Guarantee (1.b.iii) AY2012-13</b>	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.1) Fall 2015</b>	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>Entrepreneurship (5.d) 2014-15</b>	Establish baseline data for: 1) Entrepreneurship coursework hours 2) Entrepreneurship number of students 3) Entrepreneurship seminar attendees 4) Entrepreneurship website visits 5) NU-affiliated companies formed 6) NU Licensing activity 7) Business support-clients served 8) Business support-client investments 9) Business support-sales increases 10) Business support-jobs created 11) Business support-jobs saved	1) 2014=6,811; 2015=8,441 2) 2014=2,292; 2015=2,791 3) 2014=16,486; 2015=12,313 4) 2014=205,266; 2015=152,485 5) 2014=11; 2015=26 6) 2014=200; 2015=206 (patents filed), 2014=38; 2015=43 (patents awarded) 7) 2014=9,542; 2015=8,837 8) 2014=\$45,000; 2015=\$200,079 9) 2014=\$64,000; 2015=\$85,843 10) 2014=951; 2015=451 11) 2014=295; 2015=1,173

**LEGEND:**





## University of Nebraska Strategic Dashboard Indicators (Updated as of September 16, 2016)

	<u>Indicator</u>	<u>Target</u>	<u>Outcome</u>
	<b>Workforce Development (3.h.i and 3.h.iii) Fall 2015</b>	Review new internal and external research on workforce needs and update categories of employment for purposes of aligning university programs to changing needs.	Faculty and state agency research has been reviewed. The University of Nebraska continues to monitor relevant faculty and agency research to identify emerging workforce opportunities and trends in the state.
	<b>Student Learning Assessment (6.g) Fall 2015</b>	<ol style="list-style-type: none"> <li>Review performance on standardized examinations and surveys, including the National Survey of Student Engagement and professional licensure examinations.</li> <li>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>Campuses are taking a variety of approaches to participation in pilot programs designed to measure learning outcomes, including exploring processes for assessing general studies requirements and past participation in the administration of the College Assessment of Academic Proficiency (CAAP).</p>
	<b>Business Process Efficiencies (6.c.ii)</b>		
	<b>Short Term Cash Investments August 2015</b>	Exceed average of similar fund types.	The 2014 return on the State's Operating Investment Pool (3.1%) exceeded the benchmark value of 2.8%.
	<b>Endowments December 2015</b>	Exceed average of similar fund types.	Fund N endowments gained 0.8% for the year ending June 30, 2015, while similar funds gained an average of 2.1% over the same period.
	<b>Debt December 2015</b>	Maintain Aa2 rating and exceed 1.15 coverage.	Bond rating maintained at Aa1 and exceeded 1.15 coverage.
	<b>Human Resources June 2015</b>	Meet midpoint of peers in faculty and staff salaries.	Faculty salaries at UNL and UNMC are below the midpoint of peers for 2014*.

**Notes:**

\*UNO and UNK salaries are governed by collective bargaining.

**LEGEND:**



TO: The Board of Regents  
Academic Affairs


MEETING DATE: November 18, 2016

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.

SPONSOR:   
Hank M. Bounds, President  
University of Nebraska

DATE: November 7, 2016

Alignment of University's Strategic Goals with Board of Regents Agenda Items  
November 18, 2016

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 report on Enrollment and Nonresident Undergraduate Enrollment.
  - Strategic Framework report on International Student Enrollment.
  - Strategic Framework report on Nebraska Top 25%.
  - Report on expedited approval of the Construction Engineering and Management Graduate Certificate in the Department of Construction Engineering and Management (CEMT) in the College of Engineering at the University of Nebraska-Lincoln.
  - Report on renaming the Bachelor of Science in Clinical Laboratory Science to the Bachelor of Science in Medical Laboratory Science in the Division of Medical Laboratory Science in the College of Allied Health Professions at the University of Nebraska Medical Center.
  - Report on renaming the Bachelor of Science in Radiation Science Technology to the Bachelor of Science in Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at the University of Nebraska Medical Center.
  
2. **The University of Nebraska will build and sustain undergraduate, graduate, and professional programs of high quality with an emphasis on excellent teaching.**
  - Strategic Framework report on Enrollment and Nonresident Undergraduate Enrollment.
  - Strategic Framework report on International Student Enrollment.
  - Strategic Framework report on Nebraska Top 25%.
  - Expedited approval of the Construction Engineering and Management Graduate Certificate in the Department of Construction Engineering and Management (CEMT) in the College of Engineering at the University of Nebraska-Lincoln.
  - Report on renaming the Bachelor of Science in Clinical Laboratory Science to the Bachelor of Science in Medical Laboratory Science in the Division of Medical Laboratory Science in the College of Allied Health Professions at the University of Nebraska Medical Center.
  - Report on renaming the Bachelor of Science in Radiation Science Technology to the Bachelor of Science in Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at the University of Nebraska Medical Center.
  
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.**
  - Report on expedited approval of the Construction Engineering and Management Graduate Certificate in the Department of Construction Engineering and Management (CEMT) in the College of Engineering at the University of Nebraska-Lincoln.
  - Report on renaming the Bachelor of Science in Clinical Laboratory Science to the Bachelor of Science in Medical Laboratory Science in the Division of Medical Laboratory Science in the College of Allied Health Professions at the University of Nebraska Medical Center.
  - Report on renaming the Bachelor of Science in Radiation Science Technology to the Bachelor of Science in Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at the University of Nebraska Medical Center.

- 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 sole source purchase of a Scanning Transmission Electron Microscope for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering.
  - Approve the sole source purchase of a 3D Metal Printer for the University of Nebraska-Lincoln Department of Mechanical and Materials Engineering.
  - Approve renaming the Center for Leukemia and Lymphoma Research to the James O. Armitage Center for Leukemia and Lymphoma Research.
  - Approve the creation of a nonprofit 501(c)3 for UNMC technology transfer under the parent corporation of UTDC.
  
- 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.**
  - Approve the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2017 through December 31, 2018.
  - Approve the exchange of real property located at 4103 Leavenworth currently owned by the Board of Regents with privately owned 4206 Leavenworth located at the northwest corner of 42<sup>nd</sup> and Leavenworth Streets.
  - Approve the additional project budget to extend utilities connections to a Nebraska Medicine Integrated Services Center project.
  
- 6. The University of Nebraska will be cost effective and accountable to the citizens of the state.**
  - Approve the reappointment of Howard L. Hawks to serve on the Ak-Sar-Ben Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2017 through December 31, 2018.
  - Adopt a resolution authorizing IANR to complete an Institutional Account Agreement with R.J. O'Brien & Associates, LLC, of Chicago, IL, a registered futures commission merchant.
  - Approve the naming of the 8<sup>th</sup> Floor of the McGoogan Library of Medicine the Wigton History of Medicine Archives.
  - Approve the addition of Regents Emeritus policy RP-1.2.6 to the *Policies of the Board of Regents*.
  - Approve Regent Kent Schroeder as "Regent Emeritus."
  - Approve Residence Hall Room and Board Rates for Academic Year 2017-18 at the Nebraska College of Technical Agriculture and University of Nebraska at Kearney.
  - Approve the sale of the University Heights and approve the establishment of seed funding for University Village with the sale proceeds at the University of Nebraska at Kearney.
  - Approve the exchange of real property located at 4103 Leavenworth currently owned by the Board of Regents with privately owned 4206 Leavenworth located at the northwest corner of 42<sup>nd</sup> and Leavenworth Streets.
  - Approve the additional project budget to extend utilities connections to a Nebraska Medicine Integrated Services Center project.
  - Approve the creation of a nonprofit 501(c)3 for UNMC technology transfer under the parent corporation of UTDC.
  - Approve the Resolution authorizing the expenditure of \$1,045,000 from the Bond Surplus/Replacement Funds to make student housing improvements at the University of Nebraska at Omaha.
  - Approve the budget and replacement purchase and installation of the University of Nebraska-Lincoln Memorial Stadium video screens and ribbon boards in accordance with RP-6.2.1.

- Approve the funding request and resolution authorizing expenditure of up to \$7,300,000 for the Demolition of Cather Hall, Pound Hall, and the Cather-Pound Dining Center at the University of Nebraska-Lincoln.
- Report on Headcount Enrollment and Student Credit Hour.
- Approve or accept various regular reports, including:
  - Quarterly status of capital construction projects
  - Report on bids and contracts
  - University of Nebraska-Lincoln Othmer-Topp Endowment Fund Report
  - Board of Regents Othmer-Topp Endowment
- Report on Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska-Lincoln and University of Nebraska at Omaha.
- Report of the new UNO Mixed-Use Housing Facility “Scott Crossing” and Housing Rates for the 2017-18 Academic Year at UNO for Scott Hall and Scott Crossing.
- Revisions to the rules and regulations for faculty and student self-government organizations: 2015 and 2016 Amendments to the *Bylaws of the Hixson-Lied College of Fine and Performing Arts* at the University of Nebraska-Lincoln.

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016


SUBJECT: Strategic Framework Report on Enrollment [1-b-i] and  
Nonresident Undergraduate Enrollment [3-c-i]

RECOMMENDED ACTION: Report

PREVIOUS ACTION: October 9, 2014 – The Academic Affairs Committee presented a  
Strategic Framework report to the Board on Enrollment

EXPLANATION: The Enrollment and Nonresident Undergraduate Enrollment Reports are  
provided as part of the Strategic Framework Goal 1-b-i and 3-b-i. The  
latest results show NU did not meet the metric target on enrollment and  
met the metric target on Nonresident Undergraduate Enrollment.

SPONSOR: Kristin E. Yates  
Assistant Vice President and Director of Institutional Research

APPROVED:   
Susan M. Fritz  
Executive Vice President and Provost

DATE: October 27, 2016



*Lincoln*



*Omaha*



*Kearney*



*Medical Center*

# Board of Regents Enrollment-Related Metrics

Office of the Executive Vice President and Provost

November 18, 2016

- Enrollment by Campus
- Domestic Nonresident Undergraduate Enrollment

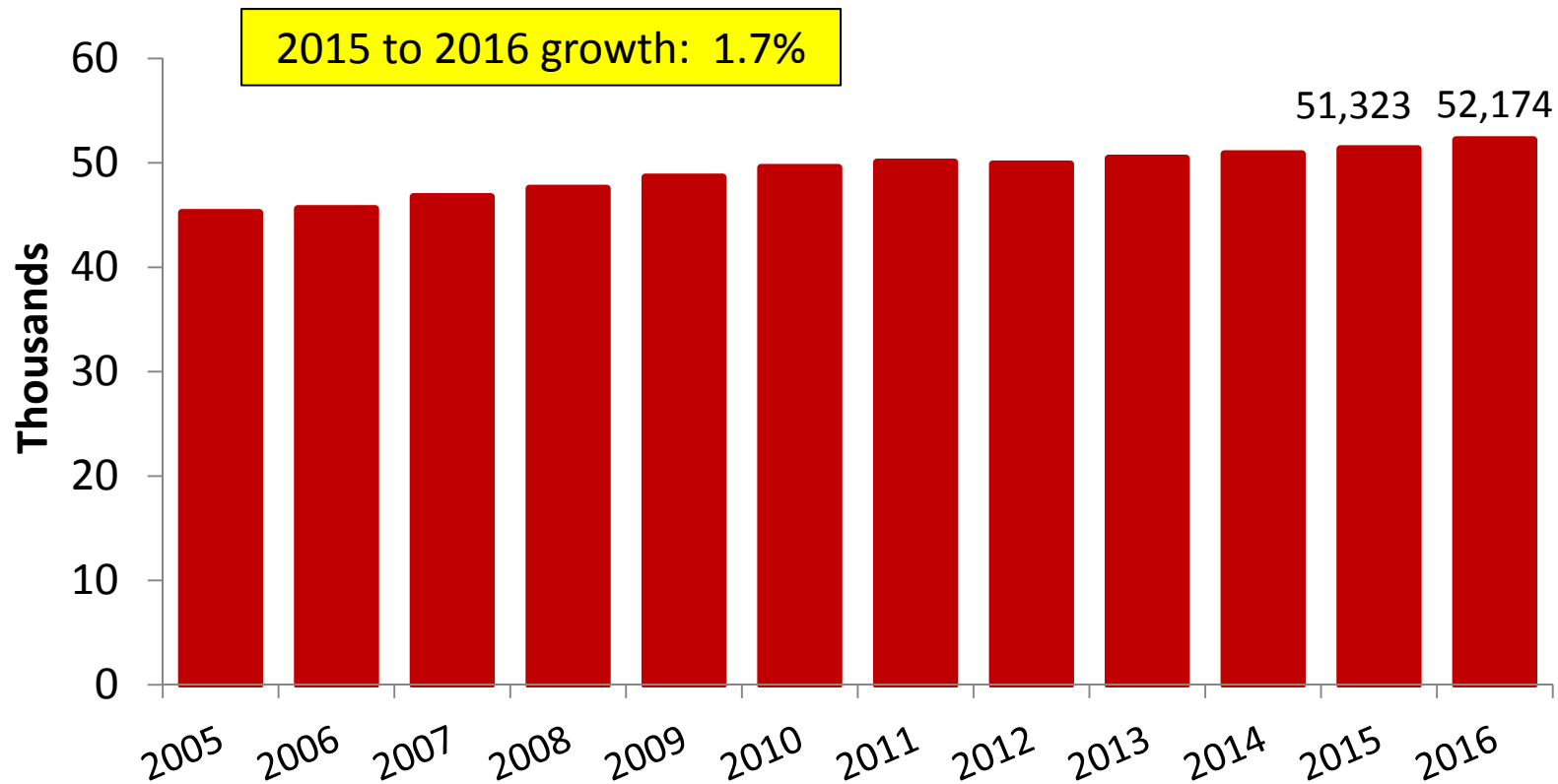


# Strategic Planning Framework: Enrollment

1.b.i. *The University of Nebraska shall increase its overall enrollment.*

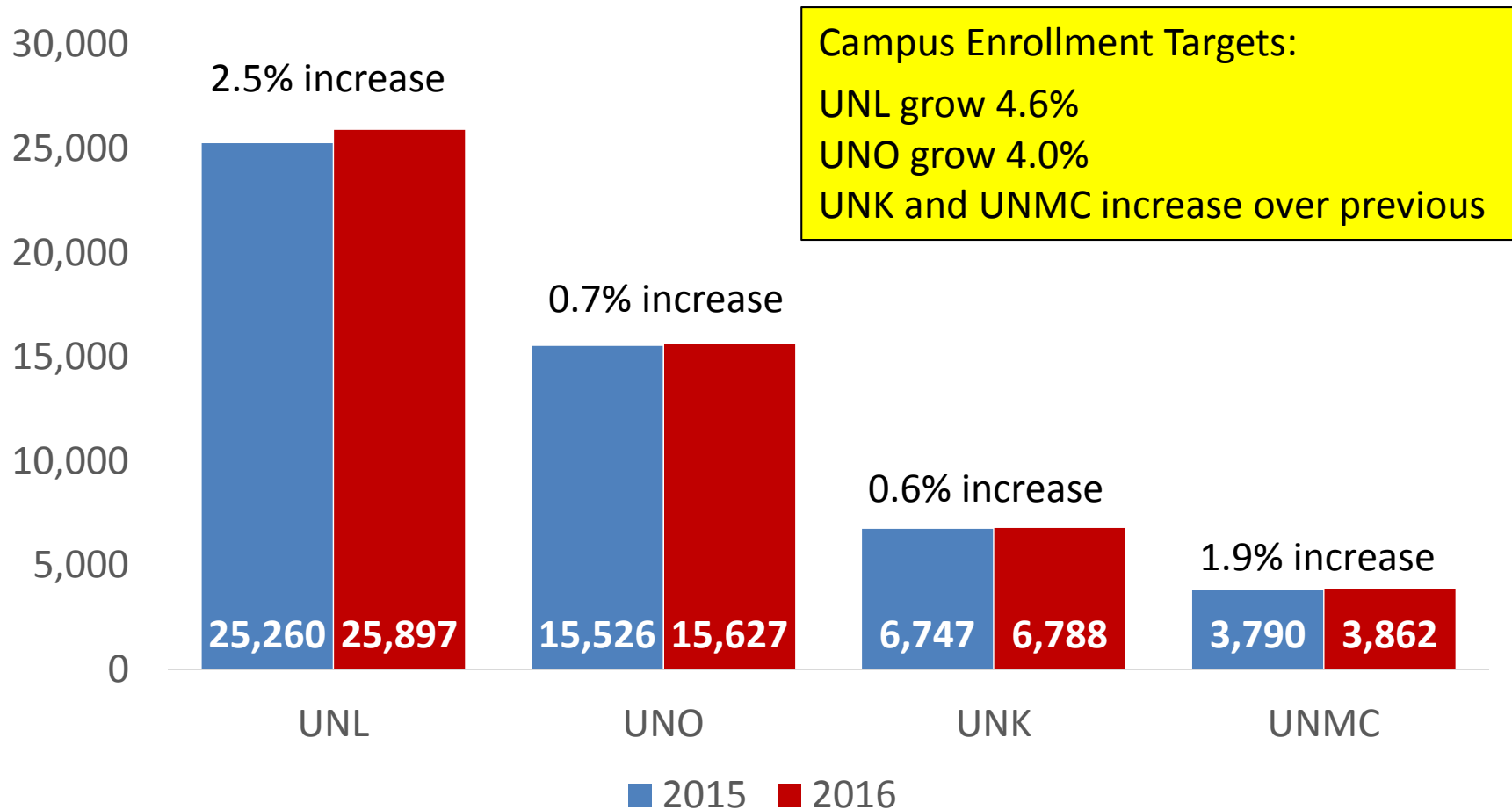
Reporting Period	Accountability Measure	Report Date
Fall 2016	<ul style="list-style-type: none"> <li>• UNL increase enrollment 4.6%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Nov. 2016
Fall 2017	<ul style="list-style-type: none"> <li>• UNL increase enrollment 3.0%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Oct. 2017
Fall 2018	<ul style="list-style-type: none"> <li>• UNL increase enrollment 2.9%</li> <li>• UNO increase enrollment 4.5%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Nov. 2018

# NU-Wide Enrollment, 2005-2016\*



\* NCTA not included

# NU Enrollment by Campus

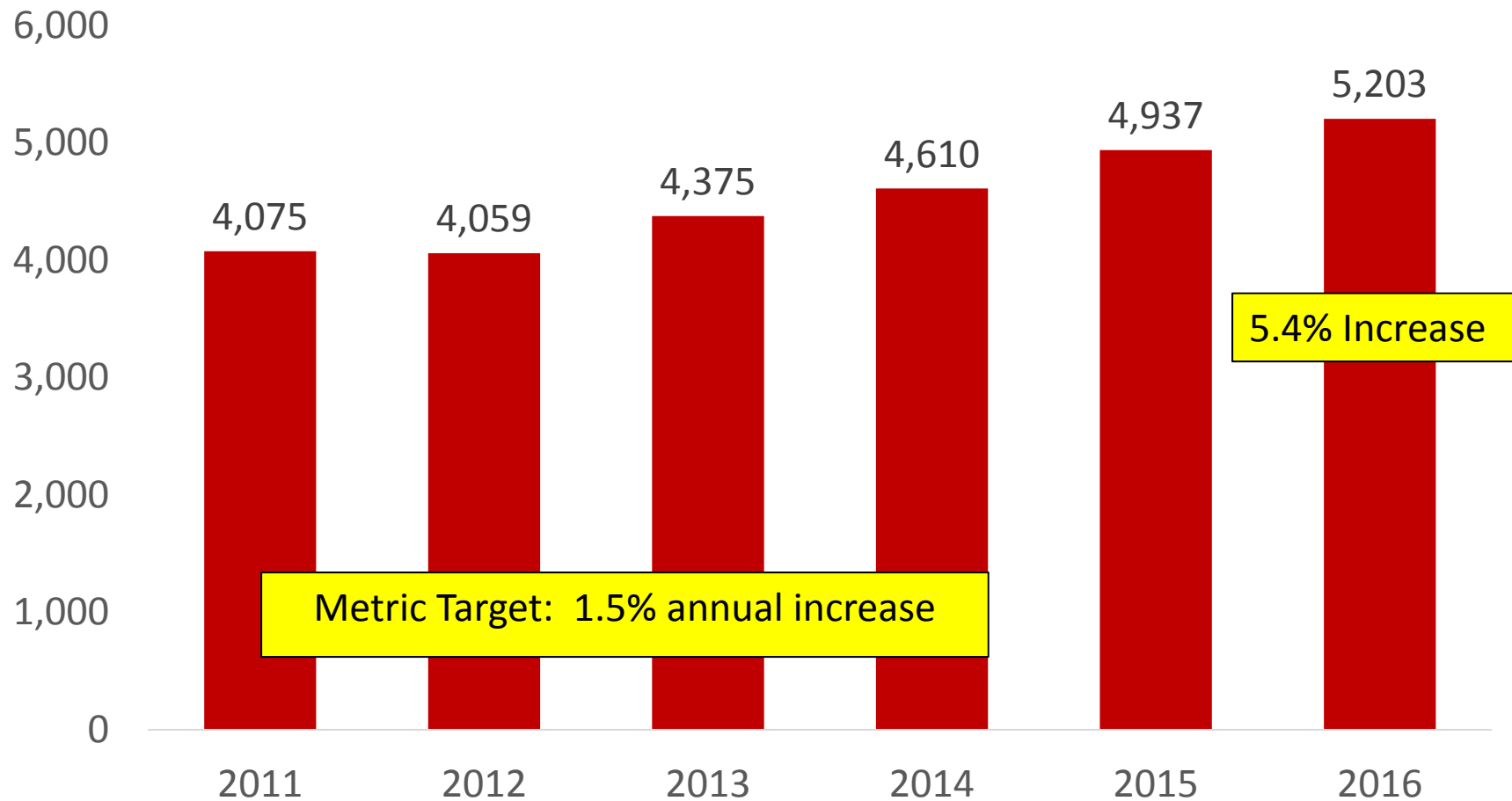


## Strategic Planning Framework: Nonresident Undergraduate Enrollment

3.c.i. *Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*

Reporting Period	Accountability Measure	Report Date
Fall 2016	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Nov. 2016
Fall 2017	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Oct. 2017
Fall 2018	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Nov. 2018

# Domestic Nonresident Undergraduate Enrollment 2011-2016



# Strategic Planning Framework: Enrollment

1.b.i. *The University of Nebraska shall increase its overall enrollment.*

Reporting Period	Accountability Measure	Report Date
Fall 2017	<ul style="list-style-type: none"> <li>• UNL increase enrollment 4.6%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Oct. 2016
Fall 2018	<ul style="list-style-type: none"> <li>• UNL increase enrollment 3.0%</li> <li>• UNO increase enrollment 4.0%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Nov. 2018
Fall 2019	<ul style="list-style-type: none"> <li>• UNL increase enrollment 2.9%</li> <li>• UNO increase enrollment 4.5%</li> <li>• UNK &amp; UNMC increase enrollment over previous year</li> </ul>	Oct. 2019

## Strategic Planning Framework: Nonresident Undergraduate Enrollment

*3.c.i. Increase enrollment of nonresident undergraduate students at UNL, UNO and UNK.*

Reporting Period	Accountability Measure	Report Date
Fall 2017	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Oct. 2017
Fall 2018	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Nov. 2018
Fall 2019	Increase the number of domestic nonresident undergraduate students by 1.5% annually.	Oct. 2019

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Fall 2016 Enrollment Report

RECOMMENDED ACTION: Report

PREVIOUS ACTION: December 3, 2015 – The Board accepted the Fall 2015 Enrollment report

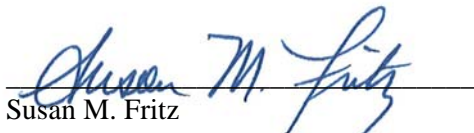
EXPLANATION: Attached is the Fall 2016 enrollment report including comparisons to Fall 2015. NU-wide highlights are reported below and individual campus data can be obtained in the full report.

Total headcount enrollment of 52,516 represented an increase of 1.3% over Fall 2015. Undergraduate headcount enrollment (39,302) increased by 1.7% over the previous year and graduate enrollment (9,833) by 1.0%. Professional enrollment (3,039) increased by 3.8%.

Total nonresident enrollment increased by 3.4% from Fall 2015 to Fall 2016, while total resident enrollment increased by (1.1%). Fall 2016 total nonresident enrollment was 12,486 while resident enrollment was 39,688. First-time freshmen enrollment increased for residents (+1.7% or 102 students) and increased for non-resident students (13.6% or 207 students). Total undergraduate enrollment increased 6.4% for nonresident students (453 additional students) while the total number of resident undergraduates also increased (0.6% or 186 students). Resident graduate enrollment increased by 2.6% (140 students), while nonresident graduate enrollment decreased (-0.9% or 39 students).

Full-time equivalent (FTE) enrollment for the Fall 2015 to Fall 2016 reporting period increased by 1.9% overall, rising from 43,276 in 2015 to 44,565 in 2016. Undergraduate FTE increased by 1.9% and graduate FTE by 1.6%. Professional student FTE increased by 3.5%. Undergraduate FTE for Fall 2015 was 35,913; graduate FTE, 5,868; and professional FTE 2,784. Total Semester Credit Hours (SCH) increased 1.9% from Fall 2015 to 2016 (or an increase from 614,828 to 626,318 SCH).

SPONSOR: Kristin E. Yates  
Assistant Vice President and Director of Institutional Research

APPROVED:   
Susan M. Fritz  
Executive Vice President and Provost

DATE: October 27, 2016



**UNIVERSITY OF NEBRASKA  
SUMMARY - HEADCOUNT ENROLLMENT REPORT  
FALL SEMESTER 2016**

	Administrative Site			
	Fall 2016	Fall 2015	Difference	% Change
<b>UNIVERSITY OF NEBRASKA - LINCOLN</b>				
<b>Undergraduate</b>				
Agricultural Sciences & Natural Resources	2,340	2,267	73	3.2%
Architecture	387	390	(3)	-0.8%
Arts & Sciences	4,202	3,912	290	7.4%
Business Administration	3,710	3,626	84	2.3%
Education and Human Sciences	2,951	2,943	8	0.3%
Engineering	3,066	3,008	58	1.9%
Fine & Performing Arts	683	670	13	1.9%
Journalism & Mass Communications	1,049	1,034	15	1.5%
Explore Center Undergraduate	2,178	2,156	22	1.0%
Visiting	267	176	91	51.7%
<b>First-Time Freshmen</b>	<b>4,860</b>	<b>4,628</b>	<b>232</b>	<b>5.0%</b>
<b>Undergraduate Subtotal</b>	<b>20,833</b>	<b>20,182</b>	<b>651</b>	<b>3.2%</b>
<b>Graduate</b>	<b>4,567</b>	<b>4,576</b>	<b>(9)</b>	<b>-0.2%</b>
<b>Professional</b>				
Architecture	83	74	9	12.2%
Education and Human Sciences	13	23	(10)	-43.5%
Law	344	345	(1)	-0.3%
Plant Health	7	8	(1)	-12.5%
Veterinary Medicine	50	52	(2)	-3.8%
<b>Professional Subtotal</b>	<b>497</b>	<b>502</b>	<b>(5)</b>	<b>-1.0%</b>
<b>UNL TOTAL</b>	<b>25,897</b>	<b>25,260</b>	<b>637</b>	<b>2.5%</b>
<b>UNIVERSITY OF NEBRASKA MEDICAL CENTER</b>				
<b>Undergraduate</b>				
Dentistry (Dental Hygiene)	48	47	1	2.1%
Allied Health (BS)	114	112	2	1.8%
Nursing	696	706	(10)	-1.4%
Visiting	19	20	(1)	-5.0%
<b>Undergraduate Subtotal</b>	<b>877</b>	<b>885</b>	<b>(8)</b>	<b>-0.9%</b>
<b>Graduate</b>	<b>443</b>	<b>479</b>	<b>(36)</b>	<b>-7.5%</b>
<b>Professional</b>				
Allied Health (post-BS)	452	434	18	4.1%
Nursing Practitioner Cert	26	27	(1)	-3.7%
MSN	242	251	(9)	-3.6%
Nursing DNP	114	52	62	119.2%
Radiology Oncology Physics	2	2	0	0.0%
Pharmacy	240	250	(10)	-4.0%
Public Health	201	180	21	11.7%
Dentistry	215	208	7	3.4%
Medicine (M.D.)	515	503	12	2.4%
Medicine (Post M.D.)	535	519	16	3.1%
<b>Professional Subtotal</b>	<b>2,542</b>	<b>2,426</b>	<b>116</b>	<b>4.8%</b>
<b>UNMC TOTAL</b>	<b>3,862</b>	<b>3,790</b>	<b>72</b>	<b>1.9%</b>
<b>UNIVERSITY OF NEBRASKA AT OMAHA</b>				
<b>Undergraduate</b>				
Arts & Sciences	3,469	3,542	(73)	-2.1%
Business Administration	2,074	2,043	31	1.5%
Communication, Fine Arts and Media	970	979	(9)	-0.9%
Education	1,395	1,472	(77)	-5.2%
Information Science & Technology	971	899	72	8.0%
CPACS	1,312	1,252	60	4.8%
Continuing Studies	1,197	1,309	(112)	-8.6%
Non-Degree	272	273	(1)	-0.4%
University Division	876	719	157	21.8%
<b>First-Time Freshmen</b>	<b>2,069</b>	<b>2,062</b>	<b>7</b>	<b>0.3%</b>
<b>Undergraduate Subtotal</b>	<b>12,536</b>	<b>12,488</b>	<b>48</b>	<b>0.4%</b>
<b>Graduate</b>	<b>3,091</b>	<b>3,038</b>	<b>53</b>	<b>1.7%</b>
<b>UNO TOTAL</b>	<b>15,627</b>	<b>15,526</b>	<b>101</b>	<b>0.7%</b>
<b>UNIVERSITY OF NEBRASKA AT KEARNEY</b>				
<b>Undergraduate</b>				
Business & Technology	1,159	1,205	(46)	-3.8%
Education	1,148	1,167	(19)	-1.6%
Fine Arts & Humanities	551	574	(23)	-4.0%
Natural & Social Sciences	1,235	1,265	(30)	-2.4%
University College	839	768	71	9.2%
Non-Degree	124	129	(5)	-3.9%
<b>First-Time Freshmen</b>	<b>1,008</b>	<b>938</b>	<b>70</b>	<b>7.5%</b>
<b>Undergraduate Subtotal</b>	<b>5,056</b>	<b>5,108</b>	<b>(52)</b>	<b>-1.0%</b>
<b>Graduate</b>	<b>1,732</b>	<b>1,639</b>	<b>93</b>	<b>5.7%</b>
<b>UNK TOTAL</b>	<b>6,788</b>	<b>6,747</b>	<b>41</b>	<b>0.6%</b>
<b>UNIVERSITY OF NEBRASKA UNDERGRADUATE</b>	<b>39,302</b>	<b>38,663</b>	<b>639</b>	<b>1.7%</b>
<b>FIRST-TIME FRESHMEN TOTAL</b>	<b>7,937</b>	<b>7,628</b>	<b>309</b>	<b>4.1%</b>
<b>UNIVERSITY OF NEBRASKA GRADUATE</b>	<b>9,833</b>	<b>9,732</b>	<b>101</b>	<b>1.0%</b>
<b>UNIVERSITY OF NEBRASKA PROFESSIONAL</b>	<b>3,039</b>	<b>2,928</b>	<b>111</b>	<b>3.8%</b>
<b>UNIVERSITY OF NEBRASKA TOTAL</b>	<b>52,174</b>	<b>51,323</b>	<b>851</b>	<b>1.7%</b>
<b>Nebraska College of Technical Agriculture (NCTA)</b>	<b>342</b>	<b>512</b>	<b>(170)</b>	<b>-33.2%</b>
<b>UNIVERSITY OF NEBRASKA TOTAL (with NCTA)</b>	<b>52,516</b>	<b>51,835</b>	<b>681</b>	<b>1.3%</b>

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

**UNIVERSITY OF NEBRASKA  
HEADCOUNT ENROLLMENT BY RESIDENCY STATUS BY LEVEL  
FALL SEMESTER 2016**

	Resident Enrollment (a)			Nonresident Enrollment (a)		
	2016	2015	% Change	2016	2015	% Change
<b>UNIVERSITY OF NEBRASKA - LINCOLN</b>						
Undergraduate	15,495	15,338	1.0%	5,338	4,844	10.2%
First-Time Freshmen	3,500	3,478	0.6%	1,360	1,150	18.3%
Graduate	1,901	1,941	-2.1%	2,666	2,635	1.2%
Professional	370	364	1.6%	127	138	-8.0%
<b>UNL TOTAL</b>	<b>17,766</b>	<b>17,643</b>	<b>0.7%</b>	<b>8,131</b>	<b>7,617</b>	<b>6.7%</b>
<b>UNIVERSITY OF NEBRASKA MEDICAL CENTER</b>						
Undergraduate	784	786	-0.3%	93	99	-6.1%
Graduate	158	172	-8.1%	285	307	-7.2%
Professional	2,032	1,925	5.6%	510	501	1.8%
<b>UNMC TOTAL</b>	<b>2,974</b>	<b>2,883</b>	<b>3.2%</b>	<b>888</b>	<b>907</b>	<b>-2.1%</b>
<b>UNIVERSITY OF NEBRASKA AT OMAHA</b>						
Undergraduate	11,037	10,978	0.5%	1,499	1,510	-0.7%
First-Time Freshmen	1,815	1,771	2.5%	254	291	-12.7%
Graduate	2,308	2,228	3.6%	783	810	-3.3%
<b>UNO TOTAL</b>	<b>13,345</b>	<b>13,206</b>	<b>1.1%</b>	<b>2,282</b>	<b>2,320</b>	<b>-1.6%</b>
<b>UNIVERSITY OF NEBRASKA AT KEARNEY</b>						
Undergraduate	4,407	4,435	-0.6%	649	673	-3.6%
First-Time Freshmen	893	857	4.2%	115	81	42.0%
Graduate	1,196	1,082	10.5%	536	557	-3.8%
<b>UNK TOTAL</b>	<b>5,603</b>	<b>5,517</b>	<b>1.6%</b>	<b>1,185</b>	<b>1,230</b>	<b>-3.7%</b>
<b>UNIVERSITY OF NEBRASKA UNDERGRADUATE</b>	<b>31,723</b>	<b>31,537</b>	<b>0.6%</b>	<b>7,579</b>	<b>7,126</b>	<b>6.4%</b>
<b>FIRST-TIME FRESHMEN TOTAL</b>	<b>6,208</b>	<b>6,106</b>	<b>1.7%</b>	<b>1,729</b>	<b>1,522</b>	<b>13.6%</b>
<b>UNIVERSITY OF NEBRASKA GRADUATE</b>	<b>5,563</b>	<b>5,423</b>	<b>2.6%</b>	<b>4,270</b>	<b>4,309</b>	<b>-0.9%</b>
<b>UNIVERSITY OF NEBRASKA PROFESSIONAL</b>	<b>2,402</b>	<b>2,289</b>	<b>4.9%</b>	<b>637</b>	<b>639</b>	<b>-0.3%</b>
<b>UNIVERSITY OF NEBRASKA TOTAL</b>	<b>39,688</b>	<b>39,249</b>	<b>1.1%</b>	<b>12,486</b>	<b>12,074</b>	<b>3.4%</b>

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

(a) Residency status is determined by whether a student pays resident or nonresident tuition. An individual qualifies as a resident of the State of Nebraska for tuition purposes at the University of Nebraska if, prior to the beginning of the terms for which residency is sought, he/she meets the standards defined in any one of several categories. See The University of Nebraska Policy Manual, section RP-5.7.1, Residency Determination for Tuition Purposes.

**UNIVERSITY OF NEBRASKA  
FULL-TIME & PART-TIME ENROLLMENT BY LEVEL  
FALL SEMESTER 2016**

	Fall 2016		Fall 2015		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
<b>UNL</b>						
Undergraduate	19,381	1,452	18,817	1,365	3.0%	6.4%
First-Time Freshmen	4,833	27	4,603	25	5.0%	8.0%
Graduate	2,239	2,328	2,205	2,371	1.5%	-1.8%
Professional	442	55	438	64	0.9%	-14.1%
<b>Total</b>	<b>22,062</b>	<b>3,835</b>	<b>21,460</b>	<b>3,800</b>	<b>2.8%</b>	<b>0.9%</b>
	Fall 2016		Fall 2015		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
<b>UNMC</b>						
Undergraduate	703	174	702	183	0.1%	-4.9%
First-Time Freshmen						
Graduate	357	86	393	86	-9.2%	0.0%
Professional	2,215	327	2,132	294	3.9%	11.2%
<b>Total</b>	<b>3,275</b>	<b>587</b>	<b>3,227</b>	<b>563</b>	<b>1.5%</b>	<b>4.3%</b>
	Fall 2016		Fall 2015		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
<b>UNO</b>						
Undergraduate	9,880	2,656	9,607	2,881	2.8%	-7.8%
First-Time Freshmen	1,997	72	1,947	115	2.6%	-37.4%
Graduate	1,055	2,036	960	2,078	9.9%	-2.0%
Professional						
<b>Total</b>	<b>10,935</b>	<b>4,692</b>	<b>10,567</b>	<b>4,959</b>	<b>3.5%</b>	<b>-5.4%</b>
	Fall 2016		Fall 2015		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
<b>UNK</b>						
Undergraduate	4,255	801	4,432	676	-4.0%	18.5%
First-Time Freshmen	996	12	931	7	7.0%	71.4%
Graduate	233	1,499	243	1,396	-4.1%	7.4%
Professional						
<b>Total</b>	<b>4,488</b>	<b>2,300</b>	<b>4,675</b>	<b>2,072</b>	<b>-4.0%</b>	<b>11.0%</b>
	Fall 2016		Fall 2015		Percent Change	
	Full-Time	Part-Time	Full-Time	Part-Time	Full-Time	Part-Time
<b>University of Nebraska Total</b>						
Undergraduate	34,219	5,083	33,558	5,105	2.0%	-0.4%
First-Time Freshmen	7,826	111	7,481	147	4.6%	-24.5%
Graduate	3,884	5,949	3,801	5,931	2.2%	0.3%
Professional	2,657	382	2,570	358	3.4%	6.7%
<b>Total</b>	<b>40,760</b>	<b>11,414</b>	<b>39,929</b>	<b>11,394</b>	<b>2.1%</b>	<b>0.2%</b>

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

**UNIVERSITY OF NEBRASKA  
SUMMARY - FULL-TIME EQUIVALENT ENROLLMENT REPORT  
FALL SEMESTER 2016**

<b>UNL</b>				
	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
Undergraduate	19,865	19,272	593	3.1%
Graduate	3,015	2,995	20	0.7%
Professional	460	459	1	0.2%
<b>Total</b>	<b>23,340</b>	<b>22,726</b>	<b>614</b>	<b>2.7%</b>
<b>UNMC</b>				
	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
Undergraduate	761	763	-2	-0.3%
Graduate	386	422	-36	-8.5%
Professional	2,324	2,230	94	4.2%
<b>Total</b>	<b>3,471</b>	<b>3,415</b>	<b>56</b>	<b>1.6%</b>
<b>UNO</b>				
	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
Undergraduate	10,765	10,567	198	1.9%
Graduate	1,734	1,653	81	4.9%
Professional				
<b>Total</b>	<b>12,499</b>	<b>12,220</b>	<b>279</b>	<b>2.3%</b>
<b>UNK</b>				
	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
Undergraduate	4,522	4,657	-135	-2.9%
Graduate	733	708	25	3.5%
Professional				
<b>Total</b>	<b>5,255</b>	<b>5,365</b>	<b>-110</b>	<b>-2.1%</b>
<b>University Wide</b>				
	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
Undergraduate	35,913	35,259	654	1.9%
Graduate	5,868	5,778	90	1.6%
Professional	2,784	2,689	95	3.5%
<b>Total</b>	<b>44,565</b>	<b>43,726</b>	<b>839</b>	<b>1.9%</b>

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

Note: Full-time equivalent (FTE) is defined as full-time plus one third part-time headcount.

**UNIVERSITY OF NEBRASKA**  
**SUMMARY OF STUDENT CREDIT HOURS**

Student credit hours are assigned to the campus which grants the credit to the student.  
 Fall Semester, 2016

	<b>Fall 2016</b>	<b>Fall 2015</b>	<b>Difference</b>	<b>% Change</b>
UNL	321,126	313,056	8,070	2.6%
UNMC	55,394	53,858	1,536	2.9%
UNO	175,611	171,809	3,802	2.2%
UNK	74,187	76,105	(1,918)	-2.5%
<b>University of Nebraska Total</b>	<b>626,318</b>	<b>614,828</b>	<b>11,490</b>	<b>1.9%</b>

Source: UNL, UNO, UNK, UNMC Office of Institutional Research

Number of credit hours for each campus, with details by College of Faculty and College of Student follows.

UNIVERSITY OF NEBRASKA-LINCOLN

STUDENT CREDIT HOUR REPORT

Student credit hours are assigned to the campus which grants the credit to the student.

Fall Semester, 2016

COLLEGE OF FACULTY														
COLLEGE OF STUDENT	CASNR	Arch.	Arts & Sciences	Business Admin.	Educ. & Human Sciences	Engr.	Fine & Perf. Arts	Journalism & Mass Comm.	Law	ROTC	Other Units	Fall 2016 Total	Fall 2015 Total	Change From Fall 2015
Ag. Sci. & Nat. Res.	21,425	60	7,790	1,832	1,049	9	752	152		36	60	33,165	32,362	803
Architecture	53	5,095	936	130	56	14	72	15		3	3	6,377	6,284	93
Arts & Sciences	3,793	62	45,462	2,382	2,064	60	2,134	424		145	996	57,522	53,630	3,892
Business Administration	1,230	79	13,740	32,621	1,179	51	2,285	332		56	409	51,982	50,375	1,607
Education and Human Sciences	3,146	48	14,200	1,334	20,177	6	1,269	297		14	63	40,554	40,424	130
Engineering	2,266	226	14,060	842	211	17,694	867	513		66	367	37,112	36,357	755
Fine & Performing Arts	111		1,838	117	148	4	7,102	142		3	16	9,481	9,156	325
Journalism & Mass Communications	541	14	5,962	681	507		731	6,039		11	33	14,519	14,491	28
Explore Center Undergraduate	1,751	127	21,730	1,067	2,038	346	2,051	354		48	53	29,565	29,120	445
Visiting	166	11	608	27	132	32	8			3		987	618	369
Law			24	42	9			3	5,269	3		5,350	5,246	104
Graduate College	5,309	457	8,453	3,409	8,313	3,417	1,444	234	19	9		31,064	30,776	288
CPACS - UNO	210		1,810	84	277	4	112	9		70	3	2,579	2,693	(114)
Dental Graduates	12		3		12							27	24	3
Undergraduate - UNO	471	21				333						825	1,477	(652)
Graduate - UNO						17						17	23	(6)
<b>TOTAL FALL 2016</b>	<b>40,484</b>	<b>6,200</b>	<b>136,616</b>	<b>44,568</b>	<b>36,172</b>	<b>21,987</b>	<b>18,827</b>	<b>8,514</b>	<b>5,288</b>	<b>467</b>	<b>2,003</b>	<b>321,126</b>		
<b>TOTAL FALL 2015</b>	<b>40,229</b>	<b>5,956</b>	<b>133,315</b>	<b>39,339</b>	<b>36,491</b>	<b>21,473</b>	<b>18,494</b>	<b>9,360</b>	<b>5,236</b>	<b>390</b>	<b>2,773</b>		<b>313,056</b>	
<b>CHANGE FROM FALL 2015</b>	<b>255</b>	<b>244</b>	<b>3,301</b>	<b>5,229</b>	<b>(319)</b>	<b>514</b>	<b>333</b>	<b>(846)</b>	<b>52</b>	<b>77</b>	<b>(770)</b>			<b>8,070</b>
<b>% CHANGE</b>	<b>0.6%</b>	<b>4.1%</b>	<b>2.5%</b>	<b>13.3%</b>	<b>-0.9%</b>	<b>2.4%</b>	<b>1.8%</b>	<b>-9.0%</b>	<b>1.0%</b>	<b>19.7%</b>	<b>-27.8%</b>			<b>2.6%</b>

Source: UNL Institutional Research, Analytics and Decision Support

**UNIVERSITY OF NEBRASKA AT OMAHA  
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.  
Fall Semester, 2016

COLLEGE OF FACULTY												
COLLEGE OF STUDENT	Arts & Sciences	Business Admin	Comm., Fine Arts and Media	CPACS	Education	ISTE	University Division	ROTC	Other Units (a)	Fall 2016 Total	Fall 2015 Total	Change From Fall 2015
Arts and Sciences	35,983	996	2,431	1,638	1,370	431	206	42	84	43,181	43,288	(820)
Business Administration	7,334	13,984	2,018	586	336	193	98	11	18	24,578	23,880	570
Communication, Fine Arts and Media	3,000	192	7,858	207	437	125	64	2	18	11,903	11,710	(1,409)
Education	6,179	156	1,068	418	9,305	43	93	7	0	17,269	17,967	(601)
Information Science & Technology	3,596	414	578	375	62	6,879	9	12	18	11,943	11,004	629
Non-Degree	946	261	105	96	79	105	36	2	0	1,630	1,669	180
CPACS	4,455	348	487	6,622	337	78	100	48	9	12,484	11,505	2,575
Division of Continuing Studies	6,359	687	1,145	1,841	979	504	4	17	0	11,536	12,439	(102)
University Division	7,365	324	1,216	843	425	180	627	8	0	10,988	9,006	294
Graduate College	3,064	2,423	777	4,307	5,419	3,323	0	0	0	19,313	18,742	1,403
Agriculture - UNL	94	3	6	0	0	0	2	0	0	105	144	(13)
Architecture - UNL	44	6	21	12	0	0	0	0	0	83	60	(69)
Engineering & Technology - UNL	4,383	258	478	51	30	519	2	14	0	5,735	5,735	47
Education and Human Sciences - UNL	0	0	0	0	0	0	0	0	0	0	0	(12)
Undergraduate - CPACS at UNL	0	0	0	4,863	0	0	0	0	0	4,863	4,660	(1,560)
<b>TOTAL FALL 2016</b>	<b>82,802</b>	<b>20,052</b>	<b>18,188</b>	<b>21,859</b>	<b>18,779</b>	<b>12,380</b>	<b>1,241</b>	<b>163</b>	<b>147</b>	<b>175,611</b>		
<b>TOTAL FALL 2015</b>	<b>81,821</b>	<b>19,713</b>	<b>18,586</b>	<b>20,250</b>	<b>18,643</b>	<b>11,345</b>	<b>1,176</b>	<b>128</b>	<b>147</b>		<b>171,809</b>	
<b>CHANGE FROM FALL 2015</b>	<b>981</b>	<b>339</b>	<b>(398)</b>	<b>1,609</b>	<b>136</b>	<b>1,035</b>	<b>65</b>	<b>35</b>	<b>0</b>			<b>3,802</b>
<b>% CHANGE</b>	<b>1.2%</b>	<b>1.7%</b>	<b>-2.1%</b>	<b>7.9%</b>	<b>0.7%</b>	<b>9.1%</b>	<b>5.5%</b>	<b>27.3%</b>	<b>0.0%</b>			<b>2.2%</b>

Source: UNO Institutional Effectiveness

a) Other Units include: Honors Colloquium, Library courses.

**UNIVERSITY OF NEBRASKA AT KEARNEY  
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.  
Fall Semester, 2016

<b>COLLEGE OF FACULTY</b>							
<b>COLLEGE OF STUDENT (a)</b>	<b>Business &amp; Tech</b>	<b>Education</b>	<b>Fine Arts &amp; Humanities</b>	<b>Natural &amp; Social Sciences</b>	<b>Fall 2016 Total</b>	<b>Fall 2015 Total</b>	<b>Change From Fall 2015</b>
Business & Technology	10,522	541	1,717	2,840	15,620	16,401	(781)
Education	1,027	8,591	2,279	4,136	16,033	16,341	(308)
Fine Arts & Humanities	429	750	4,802	1,607	7,588	7,918	(330)
Natural & Social Sciences	1,135	1,119	2,571	11,791	16,616	16,875	(259)
University College	1,066	704	1,928	4,984	8,682	8,959	(277)
Non-degree (a)	121	101	331	177	730	987	(257)
Graduate	363	5,527	793	2,235	8,918	8,624	294
<b>TOTAL FALL 2016</b>	<b>14,663</b>	<b>17,333</b>	<b>14,421</b>	<b>27,770</b>	<b>74,187</b>		
<b>TOTAL FALL 2015</b>	<b>15,171</b>	<b>17,660</b>	<b>14,934</b>	<b>28,340</b>		<b>76,105</b>	
<b>CHANGE FROM FALL 2015</b>	<b>(508)</b>	<b>(327)</b>	<b>(513)</b>	<b>(570)</b>			<b>(1,918)</b>
<b>% CHANGE</b>	<b>-3.3%</b>	<b>-1.9%</b>	<b>-3.4%</b>	<b>-2.0%</b>			<b>-2.5%</b>

Source: UNK Institutional Research

(a) Effective Fall 2005, non-degree category reported separately.



**UNIVERSITY OF NEBRASKA MEDICAL CENTER  
STUDENT CREDIT HOUR REPORT**

Student credit hours are assigned to the campus which grants the credit to the student.  
Fall Semester 2016

<b>COLLEGE OF FACULTY</b>									
<b>COLLEGE OF STUDENT</b>	<b>Allied Hlth</b>	<b>Medicine</b>	<b>Nursing</b>	<b>Pharmacy</b>	<b>Dentistry</b>	<b>Public Health</b>	<b>Fall 2016 Total</b>	<b>Fall 2015 Total</b>	<b>Change From Fall 2015</b>
Allied Health	6,486	2,324	60			15	8,885	7,926	959
Nursing - Omaha			3,669				3,669	3,854	(185)
Nursing - Lincoln			2,513				2,513	2,467	46
Nursing - Kearney			1,795				1,795	1,593	202
Nursing - Scottsbluff			1,266				1,266	1,283	(17)
Nursing - Norfolk			1,285				1,285	1,472	(187)
Nursing - Certification			138				138	134	4
Nursing - DNP (Doctor of Nurse Practitioner)			707			93	800	327	473
Nursing - MSN			1,333			45	1,378	1,356	22
Dentistry					2,846		2,846	2,791	55
Dental Hygiene					648		648	637	11
Dental Certification Program					560		560	528	32
Medicine (M.D.)		11,145				3	11,148	10,936	212
Post M.D.		8,614					8,614	8,376	238
Medical Family Therapy		18					18	3	15
Radiology Oncology Physics	5	8					13	18	(5)
Pharmacy		655		4,648			5,303	5,261	42
Pharmacy Certification Program		0		0			0	192	(192)
Visiting- NonDegree	106	5					111	111	-
Public Health - MPH		6				1,151	1,157	1,106	51
PH Certificate						238	238	149	89
Graduate	9	1,771	129	367	40	693	3,009	3,338	(329)
<b>TOTAL Fall 2016</b>	<b>6,606</b>	<b>24,546</b>	<b>12,895</b>	<b>5,015</b>	<b>4,094</b>	<b>2,238</b>	<b>55,394</b>		
<b>TOTAL Fall 2015</b>	<b>7,980</b>	<b>29,930</b>	<b>12,655</b>	<b>5,271</b>	<b>3,990</b>	<b>2,012</b>		<b>53,858</b>	
<b>CHANGE FROM Fall 2015</b>	<b>(1,374)</b>	<b>(5,384)</b>	<b>240</b>	<b>(256)</b>	<b>104</b>	<b>226</b>			<b>1,536</b>
<b>% CHANGE</b>	<b>-17.2%</b>		<b>1.9%</b>	<b>-4.9%</b>	<b>2.6%</b>	<b>11.2%</b>			<b>2.9%</b>

Source: UNMC Institutional Research

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Strategic Framework Report on International Student Enrollment [3-d-ii]

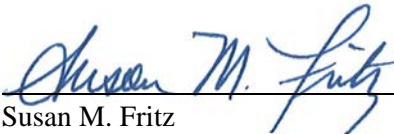
RECOMMENDED ACTION: Report

PREVIOUS ACTION: October 9, 2015 – The International Student Enrollment report was presented to the Board of Regents.

EXPLANATION: Attached is the Strategic Framework report on Global Engagement – International Students (Strategic Framework Item 3.d.ii). The report includes data for non-resident aliens who were enrolled for courses at a University of Nebraska campus. It does not include international visitors to the University who did not register for one or more courses.

The current metric requires a 100% increase over the 2010-11 number of international students by 2020-21; 3,018 international students were enrolled in 2010-11, and the goal is to increase to 6,036 by 2020-21. The number of international students enrolled in Fall Semester was 4,339, an increase of 4.7% over the previous year (4,144 in Fall 2015). Overall growth in the number of international students is slightly behind the rate of growth needed to achieve the 2020-21 metric goal.

SPONSOR: Steven T. Duke  
Assistant Vice President for Global Strategy and International Initiatives

APPROVED:   
Susan M. Fritz  
Executive Vice President and Provost

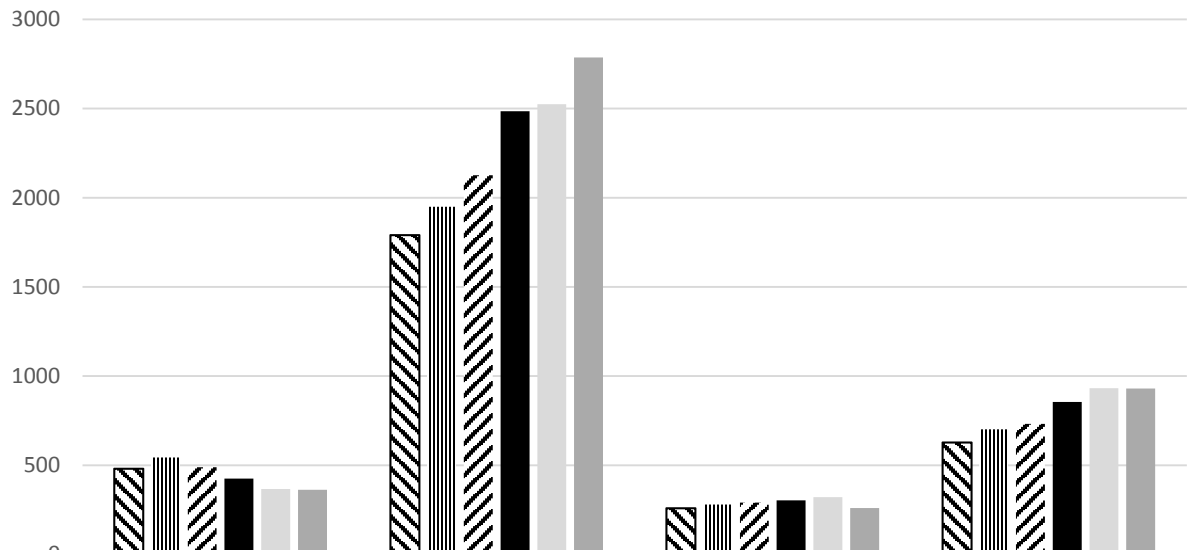
DATE: October 27, 2016

Strategic Framework 3-d-ii  
Global Engagement –  
International students

**Accountability Measure:**

- 1) By 2020-21, the University shall increase the number of international students enrolled to 6,036. Using the base academic year 2010-12, when 3,018 international students were enrolled, the University shall achieve slightly more than 7% growth compounded each year to reach the goal.

**International Students by Campus, Fall 2011 to Fall 2016**



	UNK	UNL	UNMC	UNO
2011	481	1791	259	628
2012	544	1949	280	702
2013	489	2126	291	732
2014	425	2485	303	855
2015	367	2524	321	932
2016	363	2786	260	930

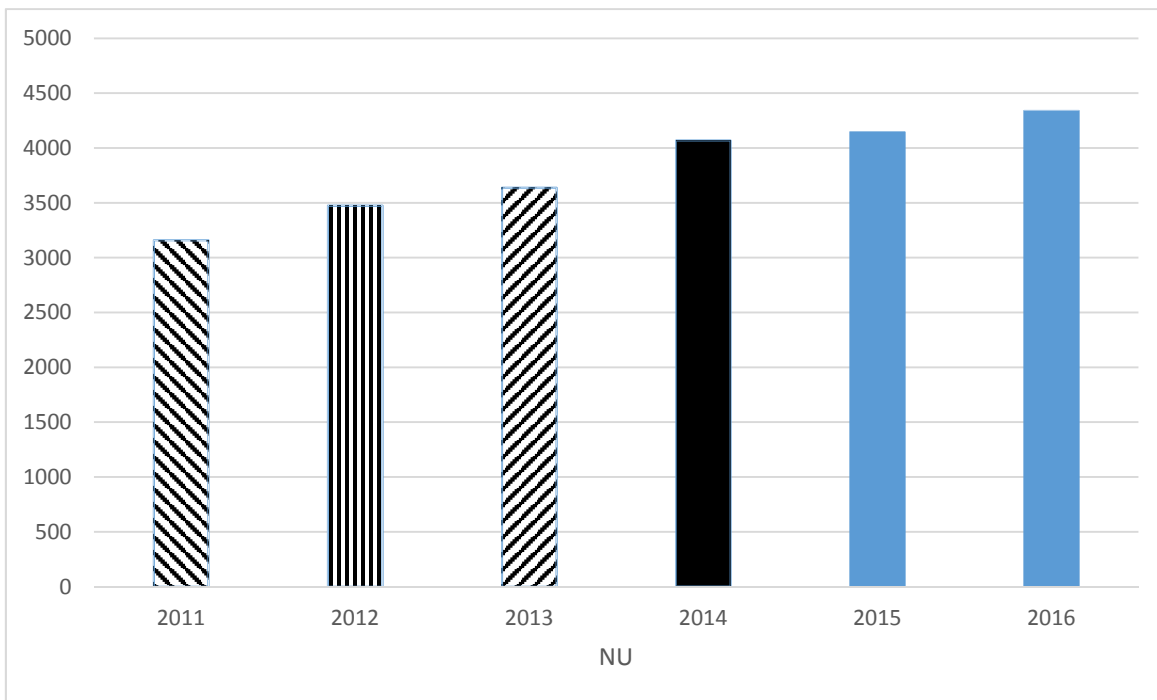
Strategic Framework 3-d-ii  
Global Engagement –  
International students

**Accountability Measure:**

- 1) By 2020-21, the University shall increase the number of international students enrolled to 6,036. Using the base academic year 2010-12, when 3,018 international students were enrolled, the University shall achieve slightly more than 7% growth compounded each year to reach the goal.

Key Points

- The number of international students enrolled grew 4.71% over the previous year
- Overall growth is slightly below target to achieve the 2020-21 metric goal





*Lincoln*



*Omaha*



*Kearney*



*Medical Center*

# Board of Regents Enrollment- Related Metrics regarding International Students

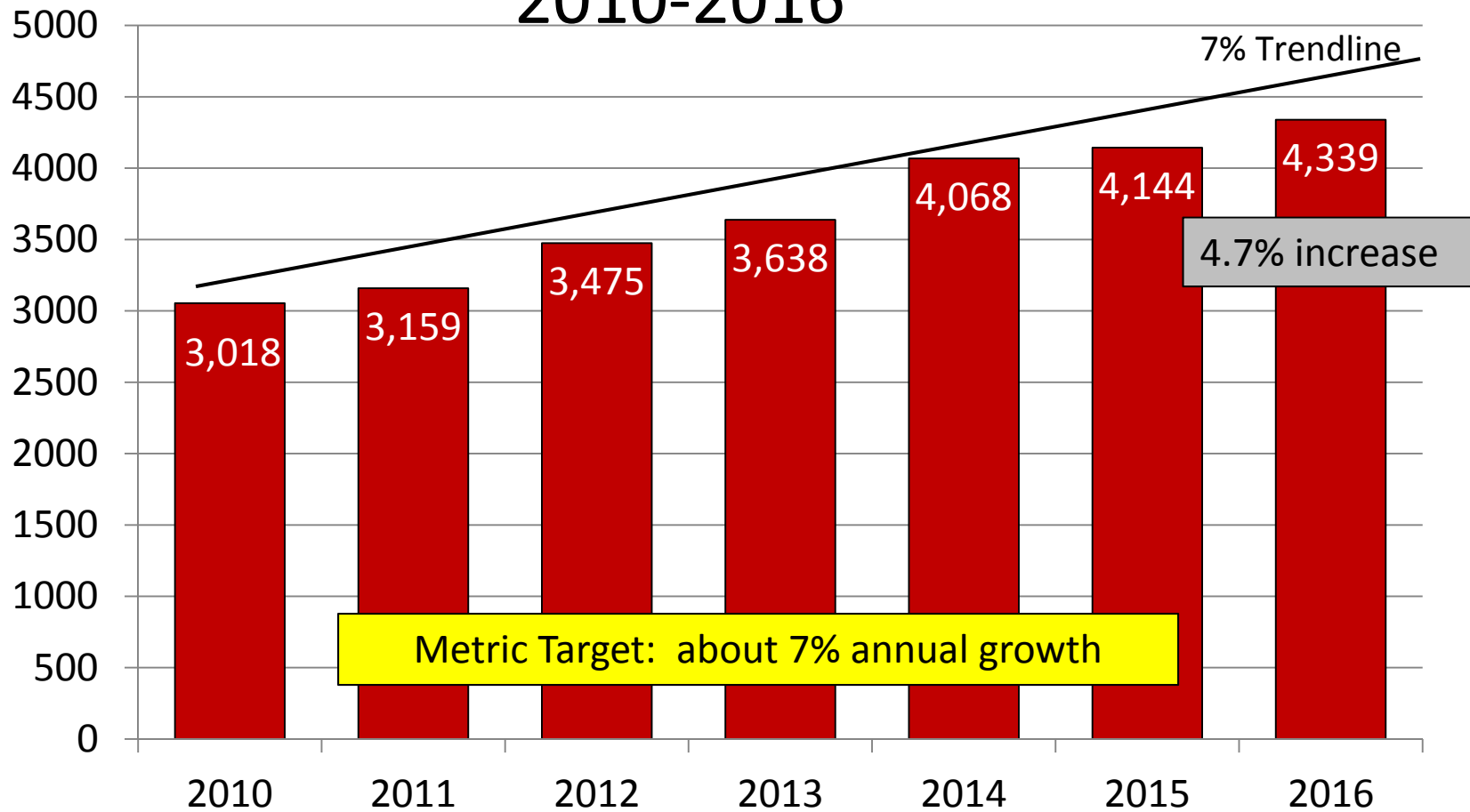
Office of the Executive Vice President and Provost  
November, 2016

## Strategic Planning Framework: International Students

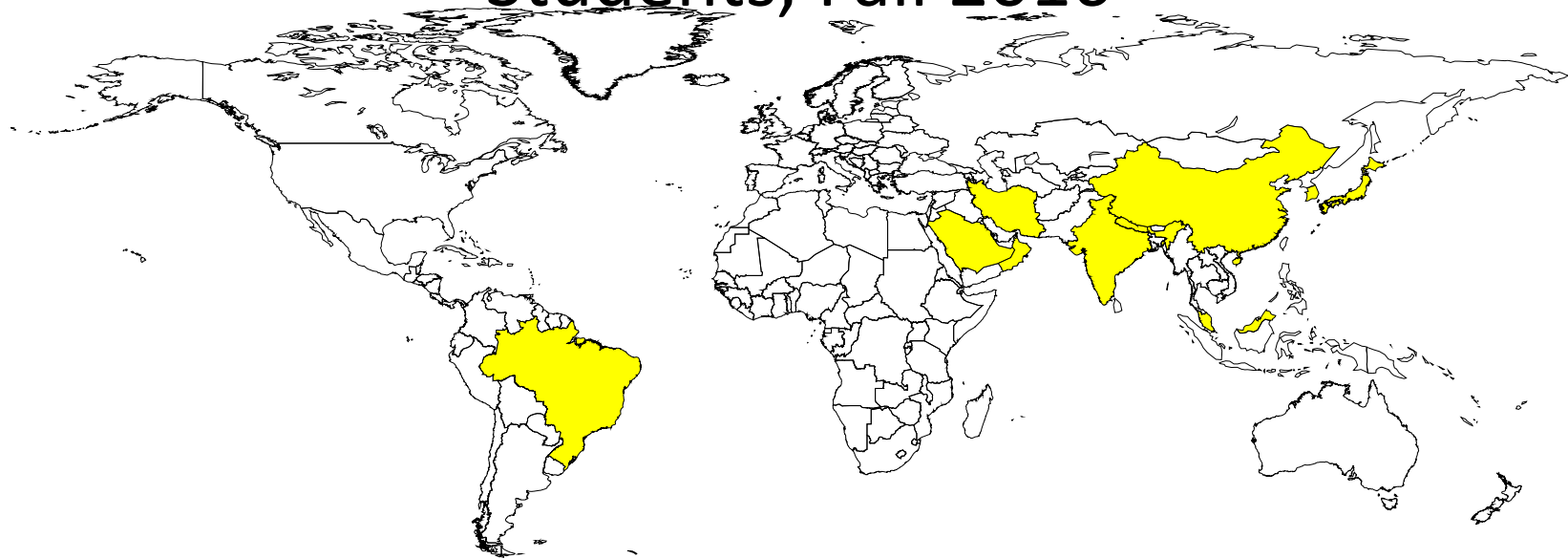
3.d.ii. *Significantly increase the number of international undergraduates and graduates studying at the University.*

Reporting Period	Accountability Measure	Report Date
Fall 2015	By 2020-21, the University shall increase the number of international students enrolled to 6,036. Using the base academic year 2010-11 when 3,018 international students were enrolled, the University shall achieve slightly more than 7% growth compounded each year to reach the goal.	Nov. 2015
Fall 2016	Continue progress toward doubling by 2020-21.	Nov. 2016
Fall 2017	Continue progress toward doubling by 2020-21.	Nov. 2017

## International Student Enrollment, 2010-2016



# Top Ten Countries of Origin for International Students, Fall 2016



Country	Number	Country	Number	Country	Number
1. China	1,505	5. Saudi Arabia	217	9. Viet Nam	78
2. India	515	6. Japan	178	10. Mexico	71
3. Oman	283	7. S. Korea	158		
4. Malaysia	263	8. Iran	91		

✓ 4,339 students from 136 countries



TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

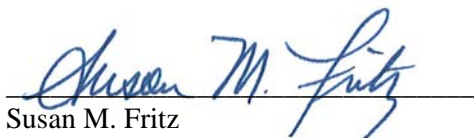
SUBJECT: Strategic Framework Report on Nebraska Top 25% [3-b-i]

RECOMMENDED ACTION: Report

PREVIOUS ACTION: October 9, 2015 – The Academic Affairs Committee presented a Strategic Framework report to the Board on Nebraska Top 25%

EXPLANATION: The Nebraska Top 25% report is provided as part of the Strategic Framework Goal 3.b.i. The latest results show NU met the metric target.

SPONSOR: Kristin E. Yates  
Assistant Vice President and Director of Institutional Research

APPROVED:   
Susan M. Fritz  
Executive Vice President and Provost

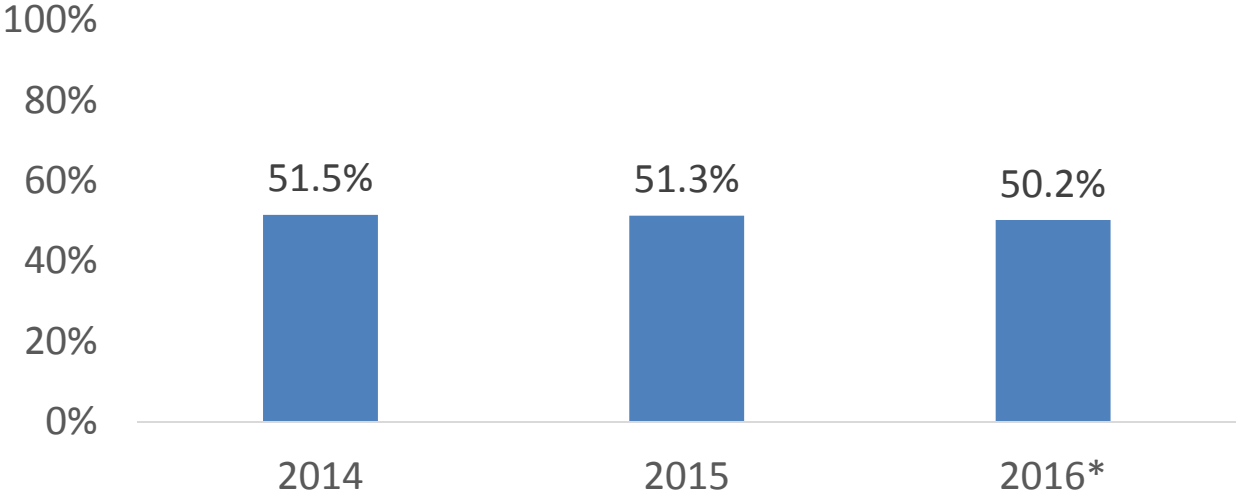
DATE: October 27, 2016

**Strategic Framework 3.b.i**  
**Top 25% Enrollment**  
**November 2016**

1. *Increase enrollment of Nebraska students ranked in the top quartile of their high school graduating class to 50%.*

Key Fact

- NU met the 50% metric



\*Number of Nebraska High School graduates is estimated by the Western Interstate Commission for Higher Education. This estimate is used to determine the number of high school students ranked in the top 25% and is then compared against the actual counts and rankings of first-time freshmen at NU.

# Proposed Accountability Measure

3.b.i. *Increase enrollment of Nebraska students ranked in the top 25% of their high school class*

<b>Reporting Period</b>	<b>Accountability Measure</b>	<b>Report Date</b>	<b>Reporting Committee</b>
Fall 2017	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater	Oct. 2017	Academic Affairs
Fall 2018	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater	Nov. 2018	Academic Affairs
Fall 2019	Maintain enrollment of first-time freshmen ranked in the top quartile of their high school graduating class at 50.0% or greater	Oct. 2019	Academic Affairs

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Expedited Approval of the Construction Engineering and Management Graduate Certificate in the Department of Construction Engineering and Management (CEMT) in the College of Engineering at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Report

PREVIOUS ACTION: July 18, 2014 – The Board of Regents approved the renaming of the Master of Science in Construction to the Master of Science in Construction Engineering and Management in the College of Engineering at UNL.  
September 5, 2008 – The Board of Regents approved the creation of a new graduate degree program, Master of Science in Construction, at UNL.  
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 courses. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska businesses.

EXPLANATION: The graduate certificate program will complement the existing degree program in Construction Engineering and Management. Graduate certificate students are required to complete 15 hours of graduate coursework. All graduate certificate students are required to take IMSE 805 and IMSE 905. Students then choose, in consultation with their advisors based on previous experience, education, and academic and professional goals, nine hours of graduate coursework from the CEMT curriculum. All passing credits earned as part of the graduate certificate program are eligible to be transferred toward a M.E.M., M.S., or Ph.D. in Construction Engineering and Management.  
This graduate certificate program will allow working professionals that are unable to commit to a traditional graduate degree program to receive a certificate that will enhance their current professional position or make them more marketable for a future position.  
This proposal has been reviewed by the Council of Academic Officers; it also has been reported to the Academic Affairs Committee.

PROGRAM COST: \$0 (There is existing College of Engineering faculty with expertise to teach the courses associated with this graduate certificate, and courses for the certificate already exist in the graduate program. No new faculty, staff, or additional expense will be required.)

SOURCE OF FUNDS: Not applicable.

SPONSOR: Susan M. Fritz  
Executive Vice President and Provost  
Dean of the Graduate College

APPROVED:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 26, 2016

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Renaming the Bachelor of Science in Clinical Laboratory Science to the Bachelor of Science in Medical Laboratory Science in the Division of Medical Laboratory Science in the College of Allied Health Professions at the University of Nebraska Medical Center (UNMC)

RECOMMENDED ACTION: Report

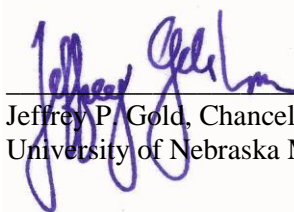
PREVIOUS ACTION: March 18, 2016 – The renaming of the Division of Clinical Laboratory Science to the Division of Medical Laboratory Science in the College of Allied Health Professions at UNMC was reported to the Board.  
  
March 5, 2005 – The Board approved the new Division of Laboratory Sciences in the School of Allied Health Professions, College of Medicine, and the name change of the Medical Technology program to the Clinical Laboratory Science program at UNMC. (The degree awarded to students changed from B.S. in Medical Technology to B.S. in Clinical Laboratory Sciences.)  
  
The Bachelor of Science in Medical Technology at UNMC was established prior to modern records of Board approvals.

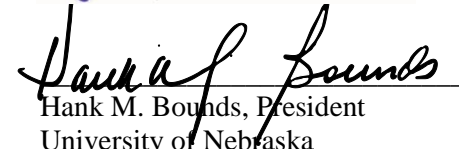
EXPLANATION: Renaming the Bachelor of Science degree aligns the degree name with the division name.  
  
This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty, staff, or additional expenses will be required.)

SOURCE OF FUNDS: Not applicable.

SPONSOR: H. Dele Davies  
Vice Chancellor for Academic Affairs

APPROVED:   
\_\_\_\_\_  
Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

  
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 26, 2016

TO: The Board of Regents

Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Renaming the Bachelor of Science in Radiation Science Technology to the Bachelor of Science in Medical Imaging and Therapeutic Sciences in the Department of Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at the University of Nebraska Medical Center (UNMC)

RECOMMENDED ACTION: Report

PREVIOUS ACTIONS: July 22, 2016 – The renaming of the Division of Radiation Science Technology Education to the Department of Medical Imaging and Therapeutic Sciences in the College of Allied Health Professions at UNMC was reported to the Board.

March 14, 1987 – The Board approved the consolidation of Radiologic Technology, Nuclear Medicine Technology, and Radiation Therapy Technology into a single Division of Radiation Science Technology Education in the College of Medicine at UNMC.

January 16, 1981 – The Board approved the merger of the Division of Radiation Therapy Technology into the Division of Radiologic Technology in the School of Allied Health Professions; dissolution of the Division of Radiation Therapy Technology in the School of Allied Health Professions; and the continuation of an academic program in Radiation Therapy Technology through the Division of Radiologic Technology.

June 21, 1975 – The Board approved a Bachelor of Science degree in Nuclear Medicine at UNMC.

EXPLANATION: Renaming the Bachelor of Science degree aligns the degree name with the department name.


This proposal has been reviewed by the Council of Academic Officers; it also has been reviewed by the Academic Affairs Committee.

PROGRAM COST: \$0 (No new faculty, staff, or additional expenses will be required.)

SOURCE OF FUNDS: Not applicable.

SPONSOR: H. Dele Davies  
Vice Chancellor for Academic Affairs

APPROVED:   
\_\_\_\_\_  
Jeffrey P. Gold, Chancellor  
University of Nebraska Medical Center

  
\_\_\_\_\_  
Hank M. Bounds, President  
University of Nebraska

DATE: October 26, 2016

TO: The Board of Regents Addendum IX-D-8

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Quarterly Status of Capital Construction Projects

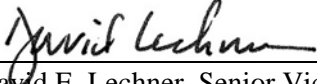
RECOMMENDED ACTION: Report

EXPLANATION: This is a summary report of projects included in the Quarterly Capital Construction Report required by state statute. Inclusion in the report commences with Board of Regents approval and ends one year following substantial completion.

The report fulfills the requirements of R.P.6.3.6.2.e and R.P. 6.3.6.4 and contains the campus and project name, designer and contractor, contracting method, contract status, stage of construction, and approved budget categories for the period ending September 30, 2016.

The report is available at: <http://nebraska.edu/docs/facilities/2016-09-30QuarterlyStatusOfCapitalConstructionProjects.pdf>

SPONSOR: Rebecca H. Koller  
Assistant Vice President for Business & Finance  
Director of Facilities Planning & Management

APPROVED:   
\_\_\_\_\_  
David E. Lechner, Senior Vice President | CFO  
University of Nebraska

DATE: October 24, 2016



**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**KEARNEY**

**Health Sciences Education Building**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	3/15/2013	Construction:	\$12,849,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	1/31/2014	<u>Non Construction:</u>	<u>\$6,151,000</u>	A/E Consultant Selection	RDG Planning & Design	3/11/2013	\$1,248,000			
<b>Construction Complete:</b>	7/1/2015	Total Project Cost:	\$19,000,000	Low Responsible Bid	Hausmann Construction	4/3/2014	\$11,373,000	7	\$336,542	8/10/2015
		% funds expended:	97%							
		<b>Funding Source</b>								
		State Appropriations	\$15,000,000							
		Private/Trust	\$4,000,000							
		<u>Total Funding</u>	<u>\$19,000,000</u>							

**Public Streets & Utilities to University Village**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	11/20/2014	Construction:	\$2,074,118	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		<u>Non Construction:</u>	<u>\$225,882</u>	A/E Four Year Consultant	Alvine Engineering	12/15/2014	\$181,000			
<b>Construction Complete:</b>		Total Project Cost:	\$2,300,000	Low Responsible Bid	Midlands Contracting, Inc.	6/4/2015	\$2,004,118	1	\$28,194	12/1/2015
		% funds expended:	50%							
		<b>Funding Source</b>								
		Campus Funds/Cash	\$2,300,000							
		<u>Total Funding</u>	<u>\$2,300,000</u>							

**University Village Student Housing**

<b>Phase:</b>	On Hold	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	4/10/2015	Construction:	\$14,000,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	3/31/2016	<u>Non Construction:</u>	<u>\$2,000,000</u>	A/E Consultant Selection	Holland Basham Architects	10/5/2015	\$1,089,836			
<b>Construction Complete:</b>	6/30/2017	Total Project Cost:	\$16,000,000	CM at Risk	Contractor TBD		\$0			
		% funds expended:	6%							
		<b>Funding Source</b>								
		Revenue Bonds	\$4,000,000							
		Revenue Bonds	\$12,000,000							
		<u>Total Funding</u>	<u>\$16,000,000</u>							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**LINCOLN**

**17th Street Dining Complex**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	11/20/2014	Construction:	\$24,765,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	10/30/2015	Non Construction:	\$8,323,000	Design/Build	Sampson Construction	8/7/2015	\$24,500,000	8	\$1,021,051	3/22/2017
<b>Construction Complete:</b>	3/31/2017	Total Project Cost:	\$33,088,000							
		% funds expended:	40%							
		<b>Funding Source</b>								
		Revenue Bonds	\$32,088,000							
		Revenue Bonds	\$1,000,000							
		Total Funding	\$33,088,000							

**Behlen Laboratory Renovation (Floors 1-3)**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/24/2014	Construction:	\$8,273,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	2/27/2015	Non Construction:	\$1,515,000	A/E Consultant Selection	Sinclair Hille Architects	7/8/2014	\$587,435	1	\$119,051	
<b>Construction Complete:</b>	2/27/2016	Total Project Cost:	\$9,788,000	Low Responsible Bid	Meco-Henne Contractors, Inc	5/21/2015	\$7,750,000	3	(\$913,490)	8/14/2016
		% funds expended:	65%							
		<b>Funding Source</b>								
		Private/Trust	\$3,288,000							
		Campus Funds/Cash	\$6,500,000							
		Total Funding	\$9,788,000							

**Breslow Ice Center**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	3/21/2014	Construction:	\$9,500,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	9/29/2014	Non Construction:	\$1,500,000	CM at Risk	Kingery Construction	11/11/2014	\$9,261,392	2	\$151,132	12/22/2015
<b>Construction Complete:</b>	8/31/2015	Total Project Cost:	\$11,000,000	Foundation A/E	DLR Group Inc	3/21/2008				
		% funds expended:	99%							
		<b>Funding Source</b>								
		Auxiliary	\$1,000,000							
		Private/Trust	\$10,000,000							
		Total Funding	\$11,000,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**LINCOLN**

**C.Y. Thompson Learning Commons**

<b>Phase:</b>	On Hold	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	9/19/2014	Construction:	\$16,477,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	9/30/2015	<u>Non Construction:</u>	<u>\$6,023,000</u>	A/E Consultant Selection	DLR Group Inc	2/11/2015	\$1,260,000			
<b>Construction Complete:</b>	9/30/2016	Total Project Cost:	\$22,500,000	Low Responsible Bid	Contractor TBD		\$0			
		% funds expended:	2%							
		<b>Funding Source</b>								
		Campus Funds/Cash	\$2,500,000							
		Private/Trust	\$20,000,000							
		Total Funding	\$22,500,000							

**College of Business Administration Replacement Building**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	9/14/2012	Construction:	\$67,363,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	12/29/2014	<u>Non Construction:</u>	<u>\$16,637,000</u>	A/E Consultant Selection	Alley Poyner Macchietto Arch	3/15/2013	\$6,145,000	3	\$58,550	
<b>Construction Complete:</b>	1/30/2017	Total Project Cost:	\$84,000,000	Low Responsible Bid	Hausmann Construction	3/24/2015	\$58,148,000	16	\$2,097,234	3/14/2017
		% funds expended:	56%							
		<b>Funding Source</b>								
		Private/Trust	\$84,000,000							
		Total Funding	\$84,000,000							

**Devaney Sports Center Replace Exterior Panel System**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	9/14/2012	Construction:	\$6,527,799	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	3/29/2013	<u>Non Construction:</u>	<u>\$472,201</u>	A/E Four Year Consultant	The Clark Enersen Partners	10/9/2012	\$200,000			
<b>Construction Complete:</b>	9/1/2018	Total Project Cost:	\$7,000,000	Low Responsible Bid	Hausmann Construction	7/29/2014	\$5,120,000	6	\$121,950	1/30/2016
		% funds expended:	94%	Low Responsible Bid	Hausmann Construction	3/27/2013	\$729,000	5	\$345,746	8/22/2014
		<b>Funding Source</b>								
		Auxiliary	\$7,000,000							
		Total Funding	\$7,000,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**LINCOLN**

**East Campus Residential Hall**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	11/20/2014	Construction:	\$31,542,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	8/31/2015	Non Construction:	\$5,966,000	Design/Build	Sampson Construction	8/7/2015	\$28,500,000			5/1/2017
<b>Construction Complete:</b>	5/31/2017	Total Project Cost:	\$37,508,000							
		% funds expended:	38%							
		<b>Funding Source</b>								
		Revenue Bonds	\$35,898,000							
		Revenue Bonds	\$800,000							
		Campus Funds/Cash	\$810,000							
		Total Funding	\$37,508,000							

**Health Center & College of Nursing (UNMC/UNL)**

<b>Phase:</b>	Design	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	6/12/2015	Construction:	\$32,797,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	10/1/2016	Non Construction:	\$11,102,000	A/E Consultant Selection	Alley Poyner Macchietto Arch	11/23/2015	\$2,538,000	1	\$52,800	
<b>Construction Complete:</b>	5/1/2018	Total Project Cost:	\$43,899,000	Low Responsible Bid	Contractor TBD		\$0			
		% funds expended:	5%							
		<b>Funding Source</b>								
		Auxiliary	\$6,000,000							
		Other	\$11,500,000							
		State Appropriations	\$8,400,000							
		Facilities Corp	\$17,999,000							
		Total Funding	\$43,899,000							

**Library Depository Retrieval Addition**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	10/9/2015	Construction:	\$3,692,100	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	8/1/2016	Non Construction:	\$523,900	A/E Four Year Consultant	The Clark Enersen Partners	10/15/2015	\$305,000			
<b>Construction Complete:</b>	4/1/2017	Total Project Cost:	\$4,216,000	Low Responsible Bid	Sampson Construction	8/19/2016	\$2,831,000			6/25/2017
		% funds expended:	7%							
		<b>Funding Source</b>								
		Private/Trust	\$4,216,000							
		Total Funding	\$4,216,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**LINCOLN**

**Love North Learning Commons**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/24/2014	Construction:	\$7,503,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	11/28/2014	Non Construction:	\$2,497,000	A/E Four Year Consultant	Holland Basham Architects	3/25/2014	\$398,500			
<b>Construction Complete:</b>	7/1/2015	Total Project Cost:	\$10,000,000	Low Responsible Bid	Sampson Construction	12/16/2014	\$6,229,700	6	\$543,922	12/6/2015
		% funds expended:	96%							
		<b>Funding Source</b>								
		Campus Funds/Cash	\$3,053,000							
		Auxiliary	\$500,000							
		Private/Trust	\$6,447,000							
		Total Funding	\$10,000,000							

**Manter Hall Renovation**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/24/2014	Construction:	\$6,972,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	9/30/2014	Non Construction:	\$1,153,000	A/E Four Year Consultant	HDR Architecture, Inc.	10/2/2013	\$385,000	1	\$14,615	
<b>Construction Complete:</b>	12/1/2015	Total Project Cost:	\$8,125,000	Low Responsible Bid	Whiting-Turner	7/16/2015	\$6,067,000	4	\$442,526	12/18/2015
		% funds expended:	98%							
		<b>Funding Source</b>								
		Campus Funds/Cash	\$8,125,000							
		Total Funding	\$8,125,000							

**McCullum Hall Clinics Addition**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	9/19/2014	Construction:	\$4,294,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	5/29/2015	Non Construction:	\$795,000	A/E Four Year Consultant	The Clark Enersen Partners	9/30/2014	\$240,000			
<b>Construction Complete:</b>	4/28/2016	Total Project Cost:	\$5,089,000	Low Responsible Bid	Cheever Construction	8/11/2015	\$3,886,000	5	\$119,378	11/11/2016
		% funds expended:	47%							
		<b>Funding Source</b>								
		Private/Trust	\$5,089,000							
		Total Funding	\$5,089,000							

**Morrill Hall 4th Floor Redevelopment**

<b>Phase:</b>	On Hold	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	6/12/2015	Construction:	\$9,612,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	8/1/2016	Non Construction:	\$1,821,000	A/E Consultant Selection	Kenneth Hahn Architects	7/29/2016	\$1,150,000			
<b>Construction Complete:</b>	4/1/2018	Total Project Cost:	\$11,433,000	Low Responsible Bid	Contractor TBD		\$0			
		% funds expended:	1%							
		<b>Funding Source</b>								
		Private/Trust	\$11,433,000							
		Total Funding	\$11,433,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**LINCOLN**

**Nebraska Veterinary Diagnostic Center**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/25/2013	Construction:	\$27,337,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	8/29/2014	<u>Non Construction:</u>	<u>\$9,389,000</u>	A/E Consultant Selection	RDG Planning & Design	2/4/2014	\$1,330,200	2	\$1,743,670	
<b>Construction Complete:</b>	8/1/2016	Total Project Cost:	\$36,726,000	Low Responsible Bid	Sampson Construction	6/23/2015	\$23,159,000	9	\$417,280	1/18/2017
		% funds expended:	50%							
		<b>Funding Source</b>								
		Private/Trust	\$4,150,000							
		<u>State Appropriations</u>	<u>\$32,576,000</u>							
		Total Funding	\$36,726,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**MEDICAL CENTER**

**2016 Utility Energy Infrastructure Upgrade**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/29/2016	Construction:	\$13,694,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		<u>Non Construction:</u>	<u>\$1,306,000</u>	A/E Consultant under \$40k	Morrissey Engineering		\$19,200			
<b>Construction Complete:</b>		Total Project Cost:	\$15,000,000	Low Responsible Bid	Trane US Inc		\$1,011,937	1	\$105,337	8/31/2016
		% funds expended:	2%	Low Responsible Bid	Trane US Inc		\$425,000			8/31/2016
		<b>Funding Source</b>								
		Facilities Corp	\$15,000,000							
		Total Funding	\$15,000,000							

**Cancer Research Center**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	11/29/2012	Construction:	\$97,410,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	8/30/2013	<u>Non Construction:</u>	<u>\$13,590,000</u>	Development Corp	Kiewit Building Group	5/31/2013	\$89,729,357	3	\$303,117	2/15/2017
<b>Construction Complete:</b>	3/1/2017	Total Project Cost:	\$111,000,000	Development Corp	HDR Architecture, Inc.	4/22/2013	\$6,465,301	1	\$95,436	
		% funds expended:	80%							
		<b>Funding Source</b>								
		State Appropriations	\$50,000,000							
		Campus Funds/Cash	\$700,000							
		Private/Trust	\$60,300,000							
		Total Funding	\$111,000,000							

**College of Pharmacy and Center for Drug Discovery**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/25/2013	Construction:	\$28,997,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		<u>Non Construction:</u>	<u>\$6,003,000</u>	A/E Consultant Selection	The Clark Enersen Partners	3/15/2013	\$2,075,000	2	\$146,300	
<b>Construction Complete:</b>	8/1/2015	Total Project Cost:	\$35,000,000	Low Responsible Bid	Hausmann Construction	5/28/2014	\$22,307,555	13	\$1,340,659	4/10/2016
		% funds expended:	90%							
		<b>Funding Source</b>								
		Private/Trust	\$35,000,000							
		Total Funding	\$35,000,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**MEDICAL CENTER**

**CUP Utilities Plant Central - Upgrade Energy Mgmt. and HW System**

<b>Phase:</b>	Construction	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	3/21/2014	Construction: \$7,573,717	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		Non Construction: \$462,740	A/E Four Year Consultant	HDR Architecture, Inc.	7/19/2013	\$76,000			
<b>Construction Complete:</b>		Total Project Cost: \$8,036,457	Low Responsible Bid	Grunwald Mechanical	7/1/2014	\$2,279,000	4	\$150,490	6/30/2015
		% funds expended: 90%							
		<b>Funding Source</b>							
		Campus Funds/Cash \$1,957,145							
		Revenue Bonds \$6,079,312							
		Total Funding \$8,036,457							

**East Utilities Plant Expansion and Electrical Distribution**

<b>Phase:</b>	Construction	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	3/21/2014	Construction: \$6,493,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	4/30/2014	Non Construction: \$2,904,766	A/E Four Year Consultant	HDR Architecture, Inc.	5/13/2013	\$77,000	1	\$19,400	
<b>Construction Complete:</b>	6/1/2015	Total Project Cost: \$9,397,766	Low Responsible Bid	Boyd Jones Construction	5/1/2014	\$3,993,000	11	\$225,136	6/1/2015
		% funds expended: 69%							
		<b>Funding Source</b>							
		LB 309 \$825,000							
		Campus Funds/Cash \$7,897,766							
		Private/Trust \$675,000							
		Total Funding \$9,397,766							

**Global Center for Advanced Interprofessional Learning**

<b>Phase:</b>	Design	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	10/9/2015	Construction: \$62,150,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	1/1/2017	Non Construction: \$39,850,000	A/E Consultant Selection	The Clark Enersen Partners	3/7/2016	\$4,480,000			
<b>Construction Complete:</b>	6/1/2018	Total Project Cost: \$102,000,000	Low Responsible Bid	Contractor TBD		\$0			
		% funds expended: 3%							
		<b>Funding Source</b>							
		Private/Trust \$77,000,000							
		State Appropriations \$25,000,000							
		Total Funding \$102,000,000							



**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**MEDICAL CENTER**

**Parking Structure Lot 50 Addition**

<b>Phase:</b>	Design	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	12/3/2015	Construction: \$2,920,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		Non Construction: \$380,000	A/E Four Year Consultant	HDR Architecture, Inc.	4/21/2016	\$159,000			
<b>Construction Complete:</b>		Total Project Cost: \$3,300,000	Low Responsible Bid	Hawkins Construction	4/15/2016	\$2,289,000			8/31/2016
		% funds expended: 71%							
		<b>Funding Source</b>							
		Auxiliary \$1,650,000							
		Other \$1,650,000							
		Total Funding \$3,300,000							

**Skywalk - Trulsen to Lauritzen**

<b>Phase:</b>	Construction	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	1/30/2015	Construction: \$2,250,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>		Non Construction: \$250,000	A/E Four Year Consultant	RDG Planning & Design	7/5/2016	\$180,000			
<b>Construction Complete:</b>		Total Project Cost: \$2,500,000	Low Responsible Bid	Meyers Carlisle Leapley	7/26/2016	\$2,500,625			11/18/2016
		% funds expended: 6%							
		<b>Funding Source</b>							
		Private/Trust \$2,500,000							
		Total Funding \$2,500,000							

**Student Life Center Building**

<b>Phase:</b>	Construction	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	5/30/2014	Construction: \$5,000,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	3/31/2015	Non Construction: \$1,000,000	A/E Four Year Consultant	Leo A. Daly Company	11/6/2014	\$350,000	1	\$28,949	
<b>Construction Complete:</b>	3/31/2016	Total Project Cost: \$6,000,000	Low Responsible Bid	Construct, Inc.	7/21/2015	\$3,811,800	5	\$300,006	5/31/2016
		% funds expended: 74%							
		<b>Funding Source</b>							
		Private/Trust \$6,000,000							
		Total Funding \$6,000,000							

**University of Nebraska  
Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**OMAHA**

**Baxter Arena**

<b>Phase:</b>	Warranty	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	3/15/2013	Construction:	\$68,000,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	12/1/2013	<u>Non Construction:</u>	<u>\$13,600,000</u>	Development Corp	Kiewit Building Group	10/7/2013	\$67,015,488	15	\$5,218,250	9/30/2015
<b>Construction Complete:</b>	8/1/2015	Total Project Cost:	\$81,600,000	Development Corp	HDR Architecture, Inc.	2/8/2013	\$4,500,000	2	\$739,388	
		% funds expended:	100%							
		<b>Funding Source</b>								
		Other	\$39,000,000							
		Campus Funds/Cash	\$3,600,000							
		Private/Trust	\$39,000,000							
		<u>Total Funding</u>	<u>\$81,600,000</u>							

**Milo Bail Student Center Addition**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	5/30/2014	Construction:	\$16,400,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	5/15/2015	<u>Non Construction:</u>	<u>\$3,600,000</u>	A/E Consultant Selection	BCDM Architects	12/11/2014	\$1,232,000			
<b>Construction Complete:</b>	8/1/2016	Total Project Cost:	\$20,000,000	CM at Risk	Weitz Company, LLC	4/1/2015	\$15,900,000			8/1/2016
		% funds expended:	77%							
		<b>Funding Source</b>								
		Revenue Bonds	\$2,700,000							
		Revolving	\$6,300,000							
		Campus Funds/Cash	\$2,000,000							
		Revenue Bonds	\$9,000,000							
		<u>Total Funding</u>	<u>\$20,000,000</u>							

**Pacific Parking Garage**

<b>Phase:</b>	Construction	<b>Approved Budget</b>		<b>Contracts</b>						
<b>BoR Project Approved:</b>	8/6/2015	Construction:	\$28,471,900	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	11/1/2015	<u>Non Construction:</u>	<u>\$2,828,100</u>	Design/Build	Sampson Construction	12/17/2015	\$26,747,000			6/16/2017
<b>Construction Complete:</b>	8/1/2017	Total Project Cost:	\$31,300,000							
		% funds expended:	25%							
		<b>Funding Source</b>								
		Revenue Bonds	\$6,300,000							
		Revenue Bonds	\$4,800,000							
		Revenue Bonds	\$20,200,000							
		<u>Total Funding</u>	<u>\$31,300,000</u>							

**University of Nebraska**  
**Quarterly Status of Capital Construction Projects**

As of September 30, 2016

**OMAHA**

**Strauss Performing Arts Center Addition & Renovation**

<b>Phase:</b>	Design	<b>Approved Budget</b>	<b>Contracts</b>						
<b>BoR Project Approved:</b>	7/22/2016	Construction: \$13,144,000	<b>Contracting Method</b>	<b>Provider</b>	<b>Date</b>	<b>Amount</b>	<b>CO No.</b>	<b>CO Amt.</b>	<b>Sub. Comp.</b>
<b>Construction Start:</b>	3/1/2017	<u>Non Construction: \$4,856,000</u>	A/E Consultant Selection	HDR Architecture, Inc.	9/7/2016	\$1,200,000	1	(\$23,000)	
<b>Construction Complete:</b>	8/1/2018	Total Project Cost: \$18,000,000	CM at Risk	Weitz Company, LLC	4/1/2015	\$28,800			
		% funds expended: 1%							
		<b>Funding Source</b>							
		Private/Trust \$8,550,000							
		State Appropriations \$9,000,000							
		Campus Funds/Cash \$450,000							
		<u>Total Funding \$18,000,000</u>							

TO: The Board of Regents Addendum IX-D-9

Business Affairs

MEETING DATE: November 18, 2016

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 October 24, 2016.

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, Senior Vice President | CFO  
University of Nebraska

DATE: October 24, 2016

<b>Type of Action</b>	<b>Campus</b>	<b>Description</b>	<b>Funding Source</b>	<b>Approved Budget Amount*</b>	<b>Contract Amount</b>	<b>Contractor / Vendor</b>	<b>Bid Review or Explanation</b>
Construction Contract	UNK	Founders Hall Stairwell Modification	Plant Funds	\$331,631.00	\$331,631.00	Central Contracting Corporation	Lowest Responsible Bid
Design Services	UNO	Strauss Performing Arts Renovation/Addition	Private Funding	18,000,000	1,777,000	HDR Architecture Inc.	A/E Selection Process

\*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 Addendum IX-D-10  
Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska-Lincoln

RECOMMENDED ACTION: Report

PREVIOUS ACTION: November 20, 2014 – The Board of Regents approved the Residence Hall Room and Board Rates for Academic Years 2015/16 through 2019-20 for the University of Nebraska-Lincoln (UNL):

<u>Meals/Wk</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>
7 – Day Plan	\$ 10,310	\$ 10,670	\$ 11,044	\$ 11,430	\$ 11,830
5 – Day Plan	10,225	10,585	10,959	11,345	11,745

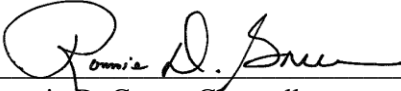
The above rates are for double occupancy in traditional renovated halls, which is the most prevalent rate used today. Rates would increase by 3.5% annually for each of the five years from 2015-16 through 2019-20. The Returning Student Discount applies to occupancy in all traditional halls.

EXPLANATION: At its November 20, 2014 meeting, the Board of Regents approved double occupancy room and board rates to be in effect through the 2019-20 academic year. At that meeting, UNL Housing represented that rates for 2016-17 academic year would change by 3.5% from 2015-16.

This report is included for informational purposes, since the other residential campuses are submitting proposed rate increases and inclusion of a UNL item on that subject allows the Board to have a more complete picture of University housing.

SPONSORS: Juan N. Franco  
Vice Chancellor for Student Affairs

Christine A. Jackson  
Vice Chancellor for Business & Finance

APPROVED:   
Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE: October 24, 2016

TO: The Board of Regents Addendum IX-D-11

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Residence Hall Room and Board Rates for Academic Year 2017-18 at the University of Nebraska at Omaha

RECOMMENDED ACTION: Report

PREVIOUS ACTION: December 3, 2015 - A 2.84% overall average rate increase for Academic Year 2016-17 was presented to the Board of Regents. (This report was designed to demonstrate compliance with the "not to exceed" 3.4% representation to the Board in 2014.)

November 20, 2014 - The Board of Regents approved an up to 3.4% annual average rate increase for student housing at Scott Court, Scott Village, Maverick Village and University Village for the 2015-16, 2016-17 and 2017-18 Academic Years at the University of Nebraska at Omaha.

EXPLANATION: The table below shows planned rates for Academic Year 2017-18 with a comparison to current rates in place for 2016-17. The 2017-18 planned rates reflect a 2.86% overall average rate increase.

2017-18 Planned Rates:

<u>Payment Plan</u>	<u>Housing Complex</u>			
	<u>Scott Court</u>	<u>Scott Village</u>	<u>Maverick Village</u>	<u>University Village</u>
Monthly	\$7,500	\$7,140	\$7,572	\$7,068
Semi-Annual	7,380	7,020	7,356	6,792
Annual	7,260	6,900	7,152	6,630
9 Month	6,250	N/A	N/A	5,778

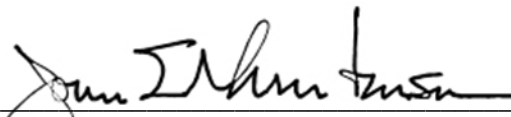
2016-17 Current Rates:

<u>Payment Plan</u>	<u>Housing Complex</u>			
	<u>Scott Court</u>	<u>Scott Village</u>	<u>Maverick Village</u>	<u>University Village</u>
Monthly	\$7,260	\$6,900	\$7,392	\$6,936
Semi-Annual	7,140	6,780	7,188	6,660
Annual	7,020	6,660	6,996	6,504
9 Month	6,050	N/A	N/A	5,595

SPONSORS: B.J. Reed  
Senior Vice Chancellor for Academic and Student Affairs

William E. Conley  
Vice Chancellor for Business and Finance

RECOMMENDED:



John E. Christensen, Chancellor  
University of Nebraska at Omaha

DATE:

October 24, 2016



TO: The Board of Regents Addendum IX-D-12

Business Affairs

MEETING DATE: November 18, 2016

RECOMMENDED ACTION: Report

SUBJECT: Report on the Othmer-Topp Endowment Fund, second priority uses, for the fiscal year ended June 30, 2016

PREVIOUS ACTION: December 3, 2015 – Report on the Othmer-Topp Endowment Fund, second priority uses, for the fiscal year ended June 30, 2015.

EXPLANATION: A report of uses of the Othmer-Topp Endowment Fund is required by the Board of Regents Policy 6.6.11. The following report is for fiscal years 2015 and 2016.

Description	12-Months Ended 06/30/2016	12-Months Ended 06/30/2015
<b>First Priority Expenditures</b>		
Othmer Professorship of Chemical Engineering	\$ 0	\$ 0
Mortgage Payment (Othmer Hall & Law Library)	2,434,500	2,434,500
Subtotal	2,434,500	2,434,500
<b>Second Priority Expenditures</b>		
(a) Campus-wide graduate fellowships	\$ 739,346	\$ 712,880
(b) Distinguished Professorships	259,268	301,633
NEH Regional Humanities Center match	14,602	9,895
Academic Improvement Fund		
Survey Research and Methodology	0	1,083
Library Depository Project	195,368	0
Subtotal	1,208,584	1,025,491
<b>Costs of Operating the Endowment</b>		
Management fees to University of Nebraska Foundation as relevant to this report	\$3,732,579	\$3,633,455
Subtotal	3,732,579	3,633,445
<b>Total</b>	<b>\$7,375,663</b>	<b>\$7,093,436</b>

(a) In FY 2016, fellowships were newly awarded to 35 students from 31 different departments. There were 60 returning students for a total of 95 fellowships. An \$8,000 stipend is paid to supplement a departmental graduate teaching or research assistantship. The program remains at full implementation budgeted at \$500,000 annually.

(b) There are 20 Othmer chairs and professorships. Each requires an Endowed match and can only be awarded to attract a new faculty member to the campus.

Continued funding of and implementation of current and future projects is dependent on the performance of the endowment. Future use of the

Othmer-Topp endowment funds will continue to follow the principles that were set forth in prior years' reports.

PROJECT COST:

None

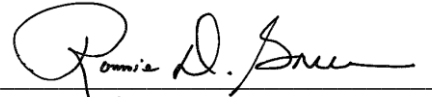
SOURCE OF FUNDS:

None

SPONSOR:

Christine A. Jackson  
Vice Chancellor for Business and Finance

APPROVED:

A handwritten signature in black ink, appearing to read "Ronnie D. Green", written over a horizontal line.

Ronnie D. Green, Chancellor  
University of Nebraska-Lincoln

DATE:

October 24, 2016

TO: The Board of Regents Addendum IX-D-13

Business Affairs

MEETING DATE: November 18, 2016

RECOMMENDED ACTION: Report

SUBJECT: Report on the Board of Regents' 12 ½% portion of the Othmer-Topp Endowment Fund for the fiscal year ended June 30, 2016

PREVIOUS ACTION: December 3, 2015 – The Board of Regents approved revisions to *Board of Regents Policy 6.6.11* relating to the Othmer-Topp Endowment.

EXPLANATION: The Othmer-Topp Endowment is comprised of three major categories:

- the UNL 75% fund,
- the UNL 12 ½% fund, and
- the Board of Regents 12 ½% fund.

In its December 2015 action, the Board of Regent's approved changes pertaining to the Board's 12 ½% fund that put the expenditure authority and reporting requirements for that portion of the fund on par with that of the UNL funds. Accordingly, expenditures from the income generated by the endowment can be authorized by the President with an annual report to the Board on those expenditures required by March 1 for the prior fiscal year.

This report is designed to fulfill the reporting requirement. For the year ended June 30, 2016 the expenditures were as follows.

<u>Purpose</u>	<u>Expenditure</u>
Raikes school endowment support	\$1,750,000
UTDC operating budget support	<u>70,000</u>
Total fiscal 2016 expenditures	<u>\$1,820,000</u>

PROJECT COST: None

SOURCE OF FUNDS: None

SPONSOR: David E. Lechner  
Senior Vice President | CFO

APPROVED:   
Hank M. Bounds, President  
University of Nebraska

DATE: October 24, 2016

TO: The Board of Regents Addendum IX-D-14

Business Affairs

MEETING DATE: November 18, 2016

SUBJECT: Naming of the new UNO Mixed-Use Housing facility “Scott Crossing” and Housing Rates for the 2017-18 Academic Year at the University of Nebraska at Omaha for Scott Hall and Scott Crossing.

RECOMMENDED ACTION: Report.

PREVIOUS ACTION: June 12, 2015 – The Board of Regents authorized a ground lease with the Tetrad Property Group (Tetrad) to provide a 400-450 bed mixed-use housing facility and academic space.

EXPLANATION: The arrangements for the new mixed-use housing provide that marketing, naming, and initial rates shall be consented to by the lessor. The new facility is to be named “Scott Crossing” in honor of Suzanne and Walter Scott. President Bounds and Chancellor Christensen have consented to the marketing, naming, and initial rates.

Housing rates are set by the owner/developer for privately owned facilities and are reported to meet requirements under those arrangements.

Scott Hall Housing Rates (includes Board)

Scott Hall rate increase of 2.63% is proposed for 2017-18.

	<u>Nine-Month</u>		<u>Percentage Increase</u>
	<u>2016-17</u>	<u>2017-18</u>	
Semi-Annual Payment Plan	\$9,500	\$9,750	2.6%

Scott Crossing Housing Rates (Scott Crossing will open fall of 2017):

Scott Crossing Traditional – Residence Hall Style with Board (academic year lease with semi-annual payment plan)

<u># Beds</u>	<u>Nine-Month</u>	
	<u>Bedrooms</u>	<u>2017-18</u>
64	4	\$9,750
36	3	\$9,850
16	2	\$9,950

Scott Crossing Suite – Apartment Style without Board (annual lease with semi-annual payment plan)

# Beds	Twelve-Month	
	Bedrooms	2017-18
236	4	\$7,800
48	3	\$8,340
4	2	\$9,000
17	1	\$9,540

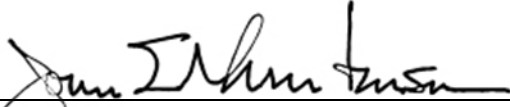
PROJECT COST: None

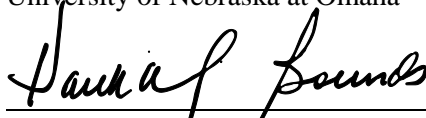
SOURCE OF FUNDS: N/A

SPONSORS: B.J. Reed  
Senior Vice Chancellor for Academic & Student Affairs

William E. Conley  
Vice Chancellor for Business and Finance

APPROVED:

  
\_\_\_\_\_  
John E. Christensen, Chancellor  
University of Nebraska at Omaha

  
\_\_\_\_\_  
Hank M. Bounis, President  
University of Nebraska

DATE: November 1, 2016

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Revisions to rules and regulations for faculty and student self-government organizations

RECOMMENDED ACTION: Report


PREVIOUS ACTION: January 10, 2010 – The Board approved an 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.

EXPLANATION: The *Bylaws of the Board of Regents* Section 1.2 as amended on January 10, 2010 state, “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) considered by the officer, group or agency at a public hearing held after giving reasonable advance public notice thereof;
- (2) reviewed and approved by the General Counsel for consistency with these *Bylaws* and applicable policies, laws and regulations; and
- (3) filed with the Corporation Secretary for report to the Board. The President and cognizant Chancellor are to be timely provided with a courtesy copy of any public hearing notice.”

Consistent with these *Bylaws* and operating procedures, the following changes have been filed with the Corporation Secretary since the last meeting of the Board and are attached for your information:

- Fall 2015 Amendments to the *Bylaws of the Hixson-Lied College of Fine and Performing Arts* at the University of Nebraska-Lincoln

REPORTED BY:   
Carmen K. Maurer  
Corporation Secretary

DATE: October 21, 2016

## HLCFPA proposed Bylaws amendments Fall 2015

The full bylaws of the Hixson-Lied College of Fine and Performing Arts can be downloaded at:  
<http://arts.unl.edu/hlfpa/faculty-resources-and-bylaws>

The UNL *Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure* can be downloaded at:  
[http://www.unl.edu/svcaa/documents/tenure\\_guide.pdf](http://www.unl.edu/svcaa/documents/tenure_guide.pdf)

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### **Amendment 1: Minor fixes and clarifications**

1. Replace "School of Music" with "Glenn Korff School of Music" in all instances (2.0, 6.6.1.5, 9.1.1.4, 9.3.1.3, 9.4.1.3, 9.5.1.3, 9.6.1.4, 9.7.1.1.3, 9.8.1.4, 9.9.1.2, 9.10.1.2)
  2. 16.4.3.2.1: Replace "his" with "This" at opening of sentence.
  3. 16.6.2: Replace reference to section "2.5.8" of UNL Bylaws with correct section "2.9.8".
  4. 16.6.16: Replace reference to section "2.5.4" of UNL Bylaws with correct section "2.9.4".
  5. 22.4: change internal reference to "20.5" with correct reference "22.5".
- 

### **Amendment 2: Addition of material to promotion and tenure files**

#### Current language:

#### 16.6 Rights of Access To Materials Used In Personnel Evaluations

##### 16.6.1 Access to promotion and/or tenure files

Other faculty members in the candidate's department may contribute comments and other material to the candidate's file and material may be solicited from a variety of sources. For that reason, the Bylaws of the Board of Regents guarantee the individual being considered for tenure "access to all material submitted for his or her evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.

- 16.6.2 The rights of access and written response is guaranteed by Sections 2.9.8 of the UNL Bylaws and 4.6 of the Bylaws of the University of Nebraska Board of Regents.

#### Proposed language:

#### 16.6 Rights of Access **and Contribution** To Materials Used In Personnel Evaluations

##### 16.6.1 ~~Access to promotion and/or tenure files~~

~~Other faculty members in the candidate's department may contribute comments and other material to the candidate's file and material may be solicited from a variety of sources. For that reason, the Bylaws of the Board of Regents guarantee the individual being~~

~~considered for tenure "access to all material submitted for his or her evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.~~

**Anyone (including the candidate) with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material.**

- 16.6.2 The rights of access and written response ~~is~~ **are** guaranteed by Sections 2.9.8 of the UNL Bylaws and 4.6 of the Bylaws of the University of Nebraska Board of Regents, **which states that "faculty members shall have access to all material submitted for their evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.**

Rationale:

The governing document for the faculty evaluation process is the UNL *Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure*. The HLCFPA bylaws are not currently in alignment with the UNL *Guidelines*. Regarding the procedures for promotion in rank, the *Guidelines* state:

Anyone with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material. (V.D.3, p. 13)

The language regarding the procedure for granting continuous appointment (tenure) is identical (*Guidelines* VI.D.4, p. 20). The *Guidelines* language has been interpreted to mean that anyone, including the candidate, can submit relevant information to the file at any point in the process. The current HLCFPA bylaws language is more restrictive than this, thus removing a right of the candidate that is guaranteed in the UNL *Guidelines*. The proposed language puts the College bylaws in compliance with the *Guidelines*.

---

### **Amendment 3: Introduction of new material at review meetings**

Current language:

16.6.8 These rules are not intended to limit oral discussion in a meeting of a group charged to conduct a review and produce a recommendation, provided that:

16.6.8.1 the discussion is based preponderantly upon materials already accumulated in the file.

16.6.8.2 no derogatory material sufficiently substantive to affect the decision is introduced for the first time at the meeting.

16.6.9 It is the responsibility of the individual conducting the meeting to:

16.6.9.1 make necessary judgments concerning the substantives of new material.

16.6.9.2 divulge to the person being evaluated any new material offered to the evaluating group.

16.6.9.3 make sure that the person under scrutiny has opportunity to respond to new material, if



necessary, by delaying the vote or decision.

Proposed language:

16.6.8.2 ~~no derogatory material sufficiently substantive to affect the decision is introduced for the first time at the meeting.~~ **New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond.**

Rationale:

The current language implies that new material cannot be introduced at review meetings, whereas the UNL *Guidelines* does allow for introduction of adverse new material as long as the candidate is given an opportunity to respond to it before a vote takes place:

The discussion at all meetings should be free and candid, and shall be based on material in the file. New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decision until the person has had the opportunity to respond. (V.D.6, p. 14; VI.D.7, p. 21)

The proposed language mirrors the *Guidelines* and makes clearer the circumstances under which new materials may be introduced.

---

#### **Amendment 4: Rights of promotion/tenure candidate to request reconsideration of negative recommendation**

Current language:

16.1.5 At every step in the process, the faculty member must be given copies of all recommendations and has the right to read and respond to any recommendation forwarded to the next level.

Proposed language:

16.1.5 At every step in the process, the faculty member must be given copies of all recommendations ~~and has the right to read and respond to any recommendation forwarded to the next level.~~ **The candidate may request reasons for adverse recommendations or request reconsideration of the decision by the group or individual not recommending promotion or tenure. Results of such requests should be provided to the candidate in writing. No negative recommendation shall be forwarded until the reconsideration is complete. The department or college shall establish time lines for the candidate to request either a statement of reasons or reconsideration of a decision. If the candidate requests a statement of reasons or requests reconsideration of a decision within these time lines, such request shall be granted as expeditiously as possible. Departments and colleges must schedule the review process so that any reconsideration shall be completed in time to meet established submission deadlines to the next level of consideration. The purpose of the statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument.**

Rationale:

The current College bylaws language is in direct contradiction to the UNL *Guidelines*. While College bylaws section 16.1.5 encompasses all types of faculty evaluation, the *Guidelines* discuss promotion in rank and granting of tenure separately. In regard to promotion, the *Guidelines* state:

If at any point in the process, the candidate is not recommended for promotion by either the appropriate faculty committee or the responsible administrator, the candidate may request reasons for the adverse recommendation, in writing if desired. A candidate also may request reconsideration of the decision by the group or individual not recommending promotion. If the candidate requests a statement of reasons or requests reconsideration of the decision, such request shall be granted as expeditiously as possible. The reconsideration process must be completed so as to comply with submission deadlines to the next level of consideration. The purpose of a statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument. No negative recommendation shall be forwarded until the reconsideration is complete. (V.D.7, p. 15)

Regarding tenure:

If at any point in the process, the candidate is not recommended for tenure by either the appropriate faculty committee or responsible administrator, the candidate may request reasons for the adverse recommendation, in writing if desired. The candidate also must be informed of the right to request reconsideration of the decision as provided in Regents Bylaws, 4.8(a). No negative recommendation shall be forwarded until the reconsideration is complete. The department or college shall establish time lines for the candidate to request either a statement of reasons or reconsideration of a decision. If the candidate requests a statement of reasons or requests reconsideration of a decision within these time lines, such request shall be granted as expeditiously as possible. Departments and colleges must schedule the review process so that any reconsideration shall be completed in time to meet established submission deadlines to the next level of consideration. The purpose of the statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument. In order to allow the opportunity to respond, the candidate must be given the opportunity to review the file. (VI.D.8, pp. 20-21)

In both cases, it is clear that the candidate is to be given an opportunity to request reconsideration of a negative decision and receive a response before the decision is forwarded to the next level, as long as this happens expeditiously. The proposed amendment aligns College procedures with the UNL *Guidelines*.

It should also be noted that both the College bylaws (16.1.4) and the UNL *Guidelines* describe four distinct steps in the process at the department/college levels: 1) recommendation of eligible voting department faculty; 2) recommendation of department chair/director; 3) recommendation of College Executive Committee; and 4) recommendation of Dean. Therefore, the candidate should have the opportunity to request reconsideration after each of those steps before the process continues with the next step.

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**Amendment 5:  
Introduction of new material at college level**

Current language:

- 22.6 The College Executive Committee expects to concur with the school and departmental recommendations unless there are strong reasons not to do so. If the Committee does have questions about a promotion and/or tenure recommendation from a department or

school or feels the evidence supporting such a recommendation is inadequate, the following steps are to be taken:

- 22.6.1 the chairperson or director is to be given an opportunity to present additional materials that might help clarify the position taken by his/her department or school, prior to the final vote of the College Executive Committee.

Proposed language:

- 22.6.1 the chairperson or director is to be given an opportunity to present additional materials that might help clarify the position taken by his/her department or school, prior to the final vote of the College Executive Committee. **New material of such a substantive nature as to adversely affect the decision shall not be introduced unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decisions until the person has had the opportunity to respond.**

Rationale:

This clarifies the right of the candidate to respond to any information introduced to the file at any point in the process. The new language is taken from the *Guidelines* sections dealing with review by college faculty (V.D.9, p. 15; VI.D.10, p. 22).

---

## **Amendment 6: Candidate's right to request reconsideration of College Executive Committee's recommendation**

Current language:

22.6.3 If the College Executive Committee disagreement with the department or school remains after any subsequent review or appeal, the reasons for disagreement must be provided in writing to the chairperson/director and to the individual concerned, and the negative recommendation with all supporting information is forwarded to the Dean for transmittal to the Senior Vice Chancellor for Academic Affairs.

Proposed language:

22.6.3 If the College Executive Committee disagreement with the department or school remains after any subsequent review or appeal, the reasons for disagreement must be provided in writing to the chairperson/director and to the individual concerned, ~~and the negative recommendation with all supporting information is forwarded to the Dean for transmittal to the Senior Vice Chancellor for Academic Affairs.~~

**22.6.4 If the College Executive Committee recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5. No negative recommendation shall be forwarded until the reconsideration is complete.**

Rationale:

See discussion under Amendment 4. The new language aligns with the UNL *Guidelines* (V.D.9, p. 15; VI.D.10, p. 22).

---

## **Amendment 7: Candidate's right to request reconsideration of Dean's recommendation**

### Current language:

22.6.4 After receiving the recommendations of the voting faculty, the chairperson/director, and the College Executive Committee, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean will forward his/her recommendation and all requested file materials to the Senior Vice Chancellor for Academic Affairs. The Dean also will send copies of his/her recommendation and that of the College Executive Committee to the faculty member, the College Executive Committee, and the chairperson/director.

### Proposed language:

**22.6.5** After receiving the recommendations of the voting faculty, the chairperson/director, and the College Executive Committee, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean will forward his/her recommendation and all requested file materials to the Senior Vice Chancellor for Academic Affairs. ~~The Dean also will send copies of his/her recommendation and that of the College Executive Committee to the faculty member,~~ **the candidate,** the College Executive Committee, and the chairperson/director. **If the Dean recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5.**

### Rationale:

Renumbering is based on addition of paragraph in Amendment 7. Current 22.6.5 will also need to be renumbered as 22.6.6.

The proposed language clarifies the candidate's right to request reconsideration of the Dean's recommendation and aligns more closely to the UNL *Guidelines*:

Following the completion of deliberations by the college faculty committee, including any reconsideration of its initial decision, the dean reviews the entire record to ensure that proper standards are being applied by the college and that they have been appropriately applied to the candidate. Based on this review, the dean makes an independent recommendation that is transmitted in writing to the appropriate vice chancellor, to the candidate, and to the department chair/head or unit administrator. If the dean recommends against promotion, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in Section V.D.(7). (V.D.10, p. 16)

Following the completion of deliberations by the college faculty committee, including any reconsideration of its initial decision, the dean reviews the entire record to ensure that proper standards are being applied by the college and that they have been appropriately applied to the candidate. Based on this review, the dean makes an independent recommendation that is transmitted in writing to the appropriate vice chancellor, to the candidate, and to the department chair/head or unit administrator. If the dean recommends against tenure, the candidate must be informed of a right to request reasons for the adverse recommendation and a right to request reconsideration of the decision as described in section VI.D.(8). (VI.D.11, pp. 22-23)

# BYLAWS

APPROVED BY COLLEGE FACULTY - MARCH 31, 2004

APPROVED BY BOARD OF REGENTS - AUGUST 7, 2004

AMENDED BY COLLEGE FACULTY – APRIL 5, 2006

AMENDED BY COLLEGE FACULTY – NOVEMBER 2, 2006

AMENDED BY COLLEGE FACULTY – APRIL 4, 2007

AMENDED BY COLLEGE FACULTY – APRIL 8, 2011

AMENDED BY COLLEGE FACULTY – APRIL 4, 2014

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## 1.0 NAME

The name of the organization shall be the Hixson-Lied College of Fine and Performing Arts, University of Nebraska-Lincoln (sometimes referred to as the College or H-LCFPA in these Bylaws).

## 2.0 CONSTITUENTS

The Hixson-Lied College of Fine and Performing Arts shall consist of three academic units (the Department of Art and Art History, the ~~School of Music~~ Glenn Korff School of Music, the Johnny Carson School of Theatre and Film) and the Mary Riepma Ross Media Arts Center.

## 3.0 AFFILIATES

Units affiliated with the College are the Center for Great Plains Studies Art Collection, the Lentz Center for Asian Culture, the Lied Center for Performing Arts, and the Sheldon Memorial Art Gallery and Sculpture Garden.

## 4.0 GOVERNANCE

The governance of the College lies with two groups, the faculty and the administrative component.

## 5.0 FACULTY

### 5.1 Powers of the faculty

The faculty of the College is the general approving body for matters not specifically assigned to the administrators by the Board of Regents. Within the limits of federal and state law, the Bylaws of the University of Nebraska Board of Regents, the UNL Bylaws, policies established by the office of the Chancellor, the Academic Senate, and the Graduate College<sup>1</sup>, the faculty shall:

- 5.1.1 establish rules for the conduct of its business.
- 5.1.2 establish committees, assign their functions and responsibilities, and choose their members.
- 5.1.3 establish and amend the College Bylaws.
- 5.1.4 establish and regulate instructional content, including:

<sup>1</sup>In case of a conflict among these entities, the “supremacy” of provisions is in the following order: (1) applicable law, (2) bylaws and policies of the Board of Regents, (3) UNL bylaws, (4) bylaws and rules of the College.

- 5.1.4.1 requirements for degrees (undergraduate and graduate).
- 5.1.4.2 the academic programs for majors and minors.
- 5.1.4.3 courses to be offered for credit in the College.
- 5.1.5 establish procedures and regulations for students in the College regarding such matters as:
  - 5.1.5.1 admission.
  - 5.1.5.2 probation.
  - 5.1.5.3 dismissals.
  - 5.1.5.4 reinstatement.
  - 5.1.5.5 other matters related to the maintenance of proper academic standards.
- 5.1.6 make recommendations for honorary degrees.
- 5.1.7 consider other business brought before it by the Dean, the Executive Committee, individual faculty, or other authorized persons according to procedures outlined in these Bylaws.
- 5.1.8 consider other items of broad interest to the welfare of the faculty.
- 5.2 Voting membership
  - 5.2.1 The voting membership of the College shall consist of faculty who hold continuous, specific term, or regular/non-temporary special appointments of 0.5 FTE or greater and who are not working toward an advanced degree at the University of Nebraska-Lincoln.
  - 5.2.2 Faculty associated with more than one department shall vote in the department designated on the personnel action form as the home or tenured home department.
  - 5.2.3 Faculty members in other colleges shall not be voting members unless specifically authorized by action of the faculty of the Hixson-Lied College of Fine and Performing Arts.

## **6.0 COLLEGE ADMINISTRATION**

- 6.1 The administrative component of the College shall include:
  - 6.1.1 the Dean.
  - 6.1.2 the Associate Dean.



6.1.3 the Assistant Dean and/or one or more Special Assistants to the Dean.

6.1.4 the Administrative Council.

## 6.2 Duties of the College administrative component

The College Administrative Component is charged with the broad responsibility of leadership for the College, toward the broad goal of assisting the students and faculty of the College to achieve their goals in learning, teaching, research/creative activities, and service. Specifically it deals with:

6.2.1 maintaining effective communication with the Central Administration and other important campus constituencies.

6.2.2 overseeing academic programs, to include those that are collaborative with other campus units.

6.2.3 providing directives for college-wide strategic planning for the College.

6.2.4 coordinating all activities pertaining to admission and advising.

6.2.5 facilitating governance of all College affairs by the faculty.

## 6.3 The Dean

### 6.3.1 General responsibilities

The Dean, as chief administrative officer for the College, is responsible for the oversight of all aspects of the operation of the College, to include academic programs, personnel, physical facilities, student affairs, faculty governance, and the management of fiscal resources.

### 6.3.2 Performance reviews

The Dean's performance is reviewed annually by the College and higher administrative officers with a substantive review after each five years of service. Reviews are conducted in accordance with university guidelines on review and reappointment of academic administrative officers.

## 6.4 The Associate Dean

### 6.4.1 Appointment and term of service

The Associate Dean is appointed by the Dean with the advice and approval of the College Executive Committee. The Associate Dean will serve for a three-year term, and can be reappointed for successive three-year terms based on satisfactory performance of duties and responsibilities.

6.4.2 General responsibilities

6.4.2.1 The Associate Dean reports to the Dean and is directly responsible for all matters pertaining to academic and student affairs in the College, including the following:

6.4.2.1.1 degree programs and curriculum.

6.4.2.1.2 accreditation and academic program review.

6.4.2.1.3 advising.

6.4.2.1.4 admissions.

6.4.2.1.5 academic distinction and awards.

6.4.2.1.6 summer sessions.

6.4.2.1.7 College-wide assessment.

6.4.2.1.8 College mentoring program.

6.4.2.1.9 special projects, programs and activities.

6.4.2.2 The Associate Dean serves as Acting Dean in the Dean's absence and assists the Dean as needed with the day-to-day operation of the College.

6.4.3 Performance reviews

The Associate Dean's performance is reviewed annually by the Dean, with input from faculty and staff in the College. A substantive review is conducted after each three years of service. Reviews are conducted in accordance with university guidelines on review and reappointment of academic administrative officers.

6.5 Assistant Dean/Special Assistants to the Dean

6.6 Administrative Council

6.6.1 The Administrative Council serves as the management team for the College, and consists of the following individuals:

6.6.1.1 the Dean

6.6.1.2 the Associate Dean for Academic Affairs

6.6.1.3 the Chair of the Department of Art and Art History

6.6.1.4 the Chair of the Johnny Carson School of Theatre and Film

6.6.1.5 the Director of the ~~School of Music~~ Glenn Korff School of Music

6.6.2 The Administrative Council meets weekly and at other times as deemed necessary and appropriate by the Dean.

## **7.0 COLLEGE FACULTY MEETINGS**

7.1 The College faculty shall meet at least once each semester.

7.2 Presiding at meetings

7.2.1 The Dean shall preside at meetings of the faculty.

7.2.2 In the absence of the Dean, the Associate Dean shall preside.

7.2.3 In the absence of the Dean or the Associate Dean, the faculty shall elect a representative to chair the meeting.

7.3 Secretary

The Administrative Assistant to the Dean shall serve as the Secretary for the College Faculty Meetings.

7.4 Parliamentary

The Dean shall appoint a Parliamentarian at the first meeting of each academic year.

7.5 A meeting of the College Faculty and Staff may be called by:

7.5.1 the Dean.

7.5.2 the Executive Committee, upon formal request to the Dean.

7.5.3 a written request by at least ten (10) of the College's voting membership.

7.6 Notification requirements

7.6.1 A call for a meeting shall be distributed in writing to the faculty by the Dean no less than one week before the meeting.

7.6.2 Copies of the agenda and pertinent information shall be provided to the faculty no less than three working days prior to the meeting.

7.6.3 These requirements may be waived by a quorum in the case of an emergency meeting.

7.6.4 The agenda of each meeting is to be sent to the Undergraduate Student Advisory Board and the Graduate Student Advisory Board. (see 7.11)

7.7 Meeting agenda.

Items may be placed on the agenda as follows:

7.7.1 by the Dean

7.7.2 by the Executive Committee, upon written request to the Dean

7.7.3 by at least five (5) of the voting membership, who shall submit the item in writing to the Dean's office no less than two weeks prior to the scheduled meeting

7.7.4 by action from the floor, provided that no substantive matter introduced at the meeting be voted on during the same meeting

7.8 Quorum

7.8.1 A quorum of at least five (5) voting members from each of the academic units must be present before any business can be transacted.

7.8.2 If an item has been presented in advance at two successive meetings at which a quorum has not been present, then the membership present shall constitute a quorum for the purpose of acting on that particular item.

7.9 Mail/e-mail ballots

7.9.1 A motion to refer an item to a mail/e-mail ballot of the faculty shall be in order after the call for the question but before the vote is taken on any substantive matter before the faculty.

7.9.2 A motion to have a mail/e-mail ballot shall be adopted providing twenty-five (25) percent of the members present or ten (10) members, whichever is greater, favor it.

7.9.3 A mail/e-mail ballot may be used only for substantive issues.

7.9.4 In the case of a mail/e-mail ballot, a summary of the arguments germane to the motion's issue shall be prepared by the Secretary and sent, along with the ballot, to each member of the College faculty.

7.10 Elections

7.10.1 All elections, including those conducted through mail/e-mail ballots, shall be decided by majority vote of all members voting.

7.10.2 If a majority is not reached on the first ballot, a second balloting on the two candidates receiving the highest number of votes shall be held.

7.11 Student representation

Two student organizations may have representation at the College faculty meetings.

7.11.1 Undergraduate Student Advisory Board

7.11.2 Graduate Student Advisory Board

7.11.3 Guidelines for participation:

7.11.3.1 Representatives are non-voting.

7.11.3.2 Representatives shall be selected from their respective memberships.

7.11.3.3 A maximum of two representatives from either organization may attend.

7.11.3.4 Representatives must be majoring in a program in the Hixson-Lied College of Fine and Performing Arts.

7.12 Limitations

Except when otherwise provided in these Bylaws, all procedures shall be in accord with the latest edition of Robert's Rules of Order.

## **8.0 REGULATIONS GOVERNING ALL COLLEGE COMMITTEES**

8.1 Standing committees

There shall be the following standing committees and student organizations in the College:

8.1.1 Executive Committee

8.1.2 Apportionment Committee

8.1.3 Curriculum Committee

8.1.4 Academic Distinction and Awards Committee

8.1.5 Grading Appeals Committee

8.1.6 Program Advisory Council

8.1.7 Faculty Research Travel Committee

- 8.1.8 Technology Committee
- 8.1.9 Undergraduate Student Advisory Board
- 8.1.10 Graduate Student Advisory Board
  
- 8.2 Rules regulating other standing committees
  - 8.2.1 All other standing committees will be established, modified, or terminated, as needed, by the majority vote of those present and voting at a College faculty meeting.
  - 8.2.2 The faculty shall prescribe the responsibilities and method of selection of such committees.
  - 8.2.3 Each standing committee shall report to the faculty at least once each year.
  
- 8.3 Ad-hoc committees
  - 8.3.1 The College may establish ad-hoc committees with appointment by the Dean after consultation with the Administrative Council and Executive Committee in order to effectively manage College affairs.
  - 8.3.2 All ad-hoc committees will be given a specific charge and time frame for the execution of their responsibilities.
  
- 8.4 General term regulations
  - 8.4.1 Terms of office on all committees, except those held by permanent appointment, shall be staggered.
  - 8.4.2 Faculty members shall be elected and student members shall be appointed in the spring semester.
  - 8.4.3 All terms will begin with the opening of the fall semester, except in the cases of members appointed by the Dean to fill unexpected vacancies.

## **9.0 REGULATIONS GOVERNING STANDING COMMITTEES**

- 9.1 Executive Committee
  - 9.1.1 Membership
    - 9.1.1.1 the Dean
    - 9.1.1.2 the Associate Dean

- 9.1.1.3 three members (at least one must be an art historian\*) nominated and elected from and by the Department of Art and Art History
- 9.1.1.4 three faculty members (at least one must be a faculty member whose research/creative activity is dedicated at least 50 percent to scholarly research and publication\*) nominated and elected from and by the ~~School of Music~~Glenn Korff School of Music
- 9.1.1.5 three faculty members nominated and elected from and by the Johnny Carson School of Theatre and Film

\*Should such a faculty member be either unavailable or unwilling to serve, then that position may be filled by any qualified faculty member from that department or school.

#### 9.1.2 Rules of membership

- 9.1.2.1 All Executive Committee members must be full-time, tenured faculty members in the College.
- 9.1.2.2 No Executive Committee member may be a chair or director.
- 9.1.2.3 Term of office shall be four years.
- 9.1.2.4 Elections shall be held in the spring semester and terms shall begin in the fall semester.
- 9.1.2.5 Persons who have served two consecutive terms may not succeed themselves on the committee.
- 9.1.2.6 Temporary vacancies shall be filled for the duration of the vacancy through appointment by the appropriate chair/director in consultation with the Dean.
- 9.1.2.7 Other vacancies occurring, except those by expiration of term, shall be filled by vote of the faculty in the department/school represented by the vacating member.
- 9.1.2.8 If such a department/school election cannot take place immediately, the position may be filled by appointment of the Dean with the concurrence of the Executive Committee.

#### 9.1.3 Functions and responsibilities

- 9.1.3.1 The Executive Committee shall meet at least three times each semester.
- 9.1.3.2 The Committee shall serve in an advisory capacity to the Dean, and shall discuss and act upon issues involving College business and the general welfare of the College, including:
  - 9.1.3.2.1 consideration of action on recommendations for tenure and promotions in rank (Tenure and promotion guidelines will adhere to those published in the Bylaws of the Board of Regents and those

policies in the Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure of the University of Nebraska-Lincoln).

9.1.3.2.2 consultation with the Dean on selections of chairpersons and directors.

9.1.3.2.3 service as an appeals committee for individual staff members who desire clarification of their status within the College.

9.1.3.2.4 service as an appeals committee for chairpersons of departments and directors of schools regarding budget or any other matter affecting the welfare of the department or school.

9.1.3.2.5 presentation at the appropriate time to the faculty for its vote nominees for membership on the Academic Senate Committee on Committees.

9.1.4 Governance procedures

9.1.4.1 The Dean shall be chair of the Executive Committee.

9.1.4.2 In the Dean's absence, the Associate Dean shall act as chair.

9.1.4.3 Either the Dean or the elected faculty member with the most seniority rank and total years of service in the College may convene the Committee.

9.1.4.4 In an unusual circumstance, a majority of the elected members of the Executive Committee may call a meeting to deliberate and make judgments on any issue dealing with the business or general welfare of the College.

9.1.4.5 The results of these deliberations may be presented to the College as a whole, as well as to other administrative levels in the University.

9.2 Apportionment Committee

9.2.1 Membership

9.2.1.1 all elected members of the Executive Committee.

9.2.2 Rules of Membership

9.2.2.1 rules of Executive Committee membership (9.1.2) will apply

9.2.3 Functions and responsibilities

The Committee shall serve as the College's apportionment grievance committee, as stipulated in the Board of Regents Bylaws [4.3 (b)(2)(i)].

9.2.4 Governance procedures



9.2.4.1 At the first Executive Committee meeting of the academic year, elected committee members will elect an Apportionment Committee chair from amongst themselves for that academic year.

9.2.4.2 The chair will convene the Apportionment Committee in the event of a submitted grievance.

9.2.4.3 Any Executive Committee member who is party to a grievance must recuse himself or herself from the deliberations and decision.

9.2.4.4 For each grievance, the faculty member and the unit administrator will individually submit their cases in writing to the chair of the Apportionment Committee. Upon its review of the submitted narratives, the Apportionment Committee may request additional documents, data, or material from either or both individuals. In addition, the Apportionment Committee may request to meet with one or both of the individuals involved, either together or separately.

9.2.4.5 As stipulated in the Board of Regents Bylaws, “the committee shall consider the positions of each party in relation to the departmental and college missions, as well as the faculty member’s overall areas of professional competence and expertise. The committee shall decide whether the apportionment of the faculty member’s responsibilities shall be changed and, if so, in what manner. The decision of the committee shall be reasonably within the faculty member’s overall areas of professional competence and expertise; it shall be in writing and it shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these [Regental] Bylaws. It shall be final, subject only to review by the committees established by Sections 4.13, 4.14, and 4.15 of these Bylaws.”

9.2.4.6 In so much as the responsibilities of “the committees established by Sections 4.13, 4.14, and 4.15” (Grievance Committee, Academic Freedom and Tenure Committee, and Professional Conduct Committee) are subsumed under the purview of the Academic Rights and Responsibilities Committee at UNL, any further pursuit of the grievance (should either party be dissatisfied with the decision of the College Apportionment Committee) should be directed to the ARRC.

### 9.3 Curriculum Committee

#### 9.3.1 Membership

9.3.1.1 the Associate Dean, who serves as the non-voting Executive Secretary

9.3.1.2 one faculty member elected by the faculty in the Department of Art and Art History

9.3.1.3 one faculty member elected by the faculty in the [School of Music Glenn Korff School of Music](#)

9.3.1.4 one faculty member elected by the faculty in the Johnny Carson School of Theatre and Film

- 9.3.1.5 one full-time undergraduate student majoring in a program in the College (selected by the Undergraduate Student Advisory Board)
- 9.3.1.6 one graduate student majoring in a program in the College (selected by the Graduate Student Advisory Board)
- 9.3.1.7 College Advising Coordinator (Ex Officio)
- 9.3.2 Rules of Membership
  - 9.3.2.1 faculty members shall serve for three years
  - 9.3.2.2 student members shall serve for one year
  - 9.3.2.3 faculty members shall have been members in this College at the rank of assistant professor/assistant professor of practice, or higher, for at least two years prior to selection.
  - 9.3.2.4 chairs/directors of departments/schools are not eligible, but vice-chairs/vice-directors may be elected
  - 9.3.2.5 committee members may not serve for more than two consecutive terms
  - 9.3.2.6 temporary vacancies shall be filled by the Dean, with the concurrence of the Executive Committee
  - 9.3.2.7 other vacancies shall be filled by election of the Faculty of the unit in which the vacancy has occurred
  - 9.3.2.8 an empty position awaiting election shall be filled through appointment by the Dean with the concurrence of the Executive Committee
  - 9.3.2.9 a faculty member appointed to complete an unexpired term, who serves less than one-half the regular three-year extent of that term is eligible to serve for two subsequent three-year terms
- 9.3.3 Guests from other units or Colleges may be invited to attend meetings of the Curriculum Committee.
- 9.3.4 The Executive Secretary shall distribute the agendas for and minutes of all Curriculum Committee meetings to the chairs/directors and to the curriculum chairs of each of the academic units in the College; to the Dean's office, and to each of the affiliated arts units.
- 9.3.5 Functions and responsibilities

The Committee's general responsibility is to supervise undergraduate curricula in the College. The committee shall consider student need, duplication, intellectual content, and relationships with other College and university programs. The committee's specific duties are to:

- 9.3.5.1 approve additions, deletions, and revisions of courses.
- 9.3.5.2 determine the applicability of courses toward degree requirements.
- 9.3.5.3 interpret degree requirements in cases of uncertainty.
- 9.3.5.4 encourage the improvement of curricular programs within the College.
- 9.3.5.5 serve, along with the Executive Committee, as the overall academic planning group for the College.
- 9.3.5.6 concern itself with the quality of the course offerings within the College and to promote their excellence.
- 9.3.5.7 establish a subcommittee on "Special Student Requests" that would be charged with adjudicating independent petitions of a non-routine nature related to student academic programs referred to it by the Dean's Office. (An example of such a petition would be a request to waive College-wide academic requirements. The subcommittee may have members who are not members of the Curriculum Committee.)
- 9.3.5.8 ensure that courses are accurately described in the UNL Bulletin.
- 9.3.5.9 review and recommend general and liberal education requirements for students in the Hixson-Lied College of Fine and Performing Arts.
- 9.3.5.10 review and recommend general and liberal education course offerings for students outside of the Hixson-Lied College of Fine and Performing Arts.
- 9.3.5.11 review and recommend all credit-granting programs with specific arts focus, that are proposed by affiliated units.

#### 9.4 Academic Distinction and Awards Committee

##### 9.4.1 Membership

- 9.4.1.1 the Associate Dean, who serves as the non-voting Executive Secretary
- 9.4.1.2 one faculty member selected by the Faculty in the Department of Art and Art History
- 9.4.1.3 one faculty member selected by the Faculty in the ~~School of Music~~ Glenn Korff School of Music
- 9.4.1.4 one faculty member from selected by the Faculty in the Johnny Carson School of Theatre and Film
- 9.4.1.5 one representative from the four affiliated units (chosen by the Dean in consultation with the heads of the affiliate units)

9.4.1.6 one full-time undergraduate student majoring in a degree program in the College (selected by the Undergraduate Student Advisory Board)

9.4.1.7 one graduate student majoring in a degree program in the College (selected by the Graduate Student Advisory Board)

9.4.1.8 College Advising Coordinator (Ex Officio)

9.4.2 Rules of membership

9.4.2.1 The faculty members from the academic units shall be elected by the faculty in their respective academic units.

9.4.2.2 The term of office for faculty members shall be three years.

9.4.2.3 The term of office for student members is one year.

9.4.2.4 Faculty members shall be elected during the spring semester and terms shall begin with the opening of the fall semester.

9.4.3 Functions and responsibilities

9.4.3.1 Within general criteria set by the faculty, make decisions regarding the awarding of Distinction, High Distinction, or Highest Distinction, and present its recommendations to the Dean.

9.4.3.2 Select:

9.4.3.2.1 students to be nominated by the College for special scholarships and fellowships.

9.4.3.2.2 the recipients of College Distinguished Teaching Awards.

9.4.3.2.3 nominees to be forwarded for campus-wide and university-wide Distinguished Teaching and Research Awards.

9.4.3.2.4 nominees for honorary degrees and Master's Week honorees.

9.4.3.3 design and publicize its criteria and procedures for award nominations and selection.

9.5 Grading Appeals Committee

9.5.1 Membership

The Grading Appeals Committee shall consist of five voting members, three faculty and two students as follows:

9.5.1.1 the Associate Dean, who serves as the non-voting Executive Secretary

- 9.5.1.2 one faculty member and one alternate elected by the Faculty in the Department of Art and Art History
- 9.5.1.3 one faculty member and one alternate elected by the Faculty in the ~~School of Music~~Glenn Korff School of Music
- 9.5.1.4 one faculty member and one alternate elected by the Faculty in the Johnny Carson School of Theatre and Film
- 9.5.1.5 one graduate teaching assistant student and one alternate majoring in a degree program in the College, selected by the Graduate Student Advisory Board
- 9.5.1.6 one full-time undergraduate student and one alternate majoring in a degree program in the College, selected by the Undergraduate Student Advisory Board
- 9.5.2 Rules of membership
  - 9.5.2.1 Faculty members shall serve staggered three-year terms.
  - 9.5.2.2 The committee chair must be a member of the faculty.
  - 9.5.2.3 The committee chair is to be chosen by the committee at the last meeting of the preceding academic year.
  - 9.5.2.4 The term of office for student members is one year.
- 9.5.3 Guests
  - 9.5.3.1 The committee will routinely invite a liaison member of the Dean's office staff to be present during consideration of a case. He or she will not have a vote.
- 9.5.4 Functions and responsibilities
  - 9.5.4.1 The function of the Grading Appeals Committee is as follows:
    - 9.5.4.1.1 to serve as the College appeal committee beyond the departmental grading appeals committees.
    - 9.5.4.1.2 to stand as the final grading appeals committee in the College.
    - 9.5.4.1.3 to create and maintain a set of rules, procedures, and standards for the judgment of cases.
    - 9.5.4.1.4 to seek conciliation as well as judgment in considering the cases brought before it.
  - 9.5.4.2 The Grading Appeals Committee's responsibility is to ensure due process in grading procedure. In the case of a disputed final course grade, the committee task is to attempt, through examination of evidence and consultation with both disputants, to protect students against arbitrary, capricious or prejudiced

evaluation on the part of the instructor or others in the department, if such evaluation can be shown to have had an impact on the course grade.

9.5.4.3 The Grading Appeals Committee must accept an appeal only if it is satisfied that there is reason to suspect that the awarding of the grade may have involved a denial of due process through capricious or prejudiced action. Therefore, it shall not:

9.5.4.3.1 undertake to resolve disputes about a student's knowledge of a particular subject matter. (Indeed, the obligatory removal of faculty from hearings involving their disciplines divests the committee of competence to judge learning accomplishment.)

9.5.4.3.2 take a role in a case solely based on the ground that failure to change a grade will prevent graduation or cause the loss of financial assistance.

9.5.4.4 The Grading Appeals Committee will not consider appeals involving:

9.5.4.4.1 violation of law,

9.5.4.4.2 violation of University rules or regulations,

9.5.4.4.3 disruptive or insubordinate behavior,

9.5.4.4.4 cheating on examinations, or

9.5.4.4.5 general complaints about the way the course was conducted.

9.5.4.5 For information about tribunals of recourse for complaints not addressed by the Grading Appeals Committee, the aggrieved party should contact Student Affairs or the Academic Senate Office.

9.5.5 Disqualification regulations

9.5.5.1 In cases involving a member of one of the departments represented on the committee:

9.5.5.1.1 that department's representative must absent him/herself from the College committee's deliberations.

9.5.5.1.2 disqualified committee members may nevertheless appear to provide evidence.

9.5.5.1.3 the Dean of the College will appoint a replacement for a disqualified faculty.

9.5.5.2 In cases involving a student member of the committee:

9.5.5.2.1 such students must absent him/herself from the deliberations.

9.5.5.2.2 a disqualified graduate student member will be replaced, for that case only, by action of the Graduate Student Advisory Board.

9.5.5.2.3 a disqualified undergraduate student will be replaced, for that case only, by action of the Undergraduate Student Advisory Board.

9.5.6 Procedures for initiating appeals

9.5.6.1 A student or faculty member wishing to appeal to the Grading Appeals Committee of the Hixson-Lied College of Fine and Performing Arts should:

9.5.6.1.1 present to the Dean of the College or to any one of the faculty members on the committee a written statement of the grounds of his or her appeal.

9.5.6.1.2 do so before the end of the semester following the semester in which the grade was assigned and at least two weeks in advance of the time a hearing is desired.

9.5.6.2 The statement should provide the following data:

9.5.6.2.1 an account of the facts surrounding the awarding of the grade

9.5.6.2.2 evidence that the appellant has sought to resolve the case in consultation with the other party

9.5.6.2.3 evidence that the appellant, failing to resolve the case in consultation with the other party, has attempted to resolve it within the confines of the department by recourse to the departmental grading appeals committee

9.5.6.2.4 evidence that the appellant has carried through the appeal with the greatest expedition possible under the circumstances

9.5.7 Reception of appeals by the committee

9.5.7.1 Upon receiving the appellant's application, the Dean or committee chair will forward it to the committee as a whole.

9.5.7.2 On receipt of an appeal, the College committee will request from the relevant departmental/school agency all records of its deliberations, including documentary evidence gathered in the case.

9.5.7.3 Whether an appeal was brought by a student or a faculty member, the opposite party will be notified of the filing of the appeal and of his or her right to examine a copy of the appeal.

9.5.8 Disposition of appeals by the committee

After preliminary examination of a case, the committee may choose among the following courses of action:

9.5.8.1 It may decide the case without a hearing based upon the written submissions of the parties.

9.5.8.2 It may refer the case back to the instructor, the department/school, or the student, with the proposal that a resolution lies within the power of the student and faculty member or the student and the department/school.

9.5.8.3 It may accept the case unconditionally. If so, the committee shall:

9.5.8.3.1 if necessary, solicit from the faculty member, student and/or the department/school committee written statements addressing any questions and issues that the committee believes to require further clarification. If clarification of departmental committee material is necessary, the committee must consult both parties to the dispute.

9.5.8.3.2 if necessary, supplement this information with interviews with the chair of the departmental committee or any of its members, with the parties to the dispute, and with anyone else whose testimony is relevant to the case.

9.5.8.3.3 grant a hearing before the committee at the request of either party.

9.5.8.3.4 consider the full body of evidence.

9.5.8.3.5 pronounce a decision based on the evidence.

9.5.9 Execution of decisions by the committee

9.5.9.1 A decision by the committee shall be rendered as soon as possible.

9.5.9.2 The decision shall be communicated in writing to both the student and the faculty member.

9.5.9.3 The letter to the party whose position was rejected by the committee shall provide reasons and justification for the decision.

9.5.9.4 An additional copy of this letter shall be sent to the Dean of the College for his/her record.

9.5.10 Right to re-appeal

9.5.10.1 Either students or faculty members may appeal an adverse ruling one time.

9.5.10.2 As the College committee is the final appeal committee, an appeal of one of its decisions would go back to the committee for reconsideration.

9.5.10.3 Such a petition to re-open the case must be done within 30 days of an adverse ruling.

9.5.10.4 Possible justifications for appeal (as determined by the committee) include:



9.5.10.4.1 submission of significant new evidence

9.5.10.4.2 new interpretation of evidence considered in the earlier appeal

9.5.10.5 A re-appeal statement should conform to the following conditions:

9.5.10.5.1 be as specific as possible in its information, supplying dates, places and times when memory provides them

9.5.10.5.2 supply whatever documentary evidence may be available

9.5.10.5.3 not include unsubstantiated charges

9.5.10.6 A re-appeal statement is to serve as a source of information for the Dean, members of the committee, and the other party concerned.

9.5.11 Procedures for grade change

9.5.11.1 Committee decisions that call for a change of grade shall be communicated in writing to the Dean of the Hixson-Lied College of Fine and Performing Arts.

9.5.11.2 It shall be the responsibility of the Dean to make the change of grade.

9.5.12 Scheduling of an appeals hearing

9.5.12.1 The Grading Appeals Committee shall normally only accept appeals that have been initiated in the semester following the awarding of the grade.

9.5.12.2 Unless there are special circumstances, the committee will not hear appeals during the summer.

9.6 Program Advisory Council

9.6.1 Membership

9.6.1.1 the Dean

9.6.1.2 the Associate Dean

9.6.1.3 the Chair of the Department of Art and Art History

9.6.1.4 the Director of the ~~School of Music~~ [Glenn Korff School of Music](#)

9.6.1.5 the Director of the Johnny Carson School of Theatre and Film

9.6.1.6 the Director of the Center for Great Plains Studies or the Curator of the Great Plains Art Museum

9.6.1.7 the Director of the Lied Center for Performing Arts

9.6.1.8 the Director of the Sheldon Museum of Art

9.6.1.9 the Director of the Mary Riepma Ross Media Arts Center

9.6.1.10 additional members may be added on an as-needed basis to include representatives from other areas or sub-areas of the College.

9.6.2 Voting

The Program Advisory Council is a non-voting body.

9.6.3 Functions and responsibilities

9.5.3.1 to exchange information and opinions on subjects of interest to and pertinent to the welfare of the College, the affiliated units, and the Fine and Performing Arts.

9.5.3.2 to act as a forum for developing cooperative programming.

9.5.3.3 to coordinate responses from the arts units to requests for their involvement in special programs or activities.

9.7 Faculty Research Travel Committee

9.7.1 Membership

9.7.1.1 The Faculty Research Travel Committee will consist of the following:

9.7.1.1.1 the Associate Dean, who serves as the non-voting Executive Secretary

9.7.1.1.2 two faculty members elected by the faculty in the Department of Art and Art History

9.7.1.1.3 two faculty members elected by the faculty in the ~~School of Music~~Glenn Korff School of Music

9.7.1.1.4 two faculty members elected by the faculty in the Johnny Carson School of Theatre and Film

9.7.1.2 Committee members will serve three-year staggered terms.

9.7.2 Functions and responsibilities

The function of the Faculty Research Travel Committee is to evaluate applications submitted by qualified faculty seeking support for off-campus research and creative activity, and to determine which applications merit funding.

- 9.8 Technology Committee
  - 9.8.1 Membership
    - 9.8.1.1 the Dean, who serves as the Committee Chair
    - 9.8.1.2 the Associate Dean
    - 9.8.1.3 one faculty member elected by the faculty in the Department of Art and Art History
    - 9.8.1.4 one faculty member elected by the faculty in the ~~School of Music~~Glenn Korff School of Music
    - 9.8.1.5 one faculty member elected by the faculty in the Johnny Carson School of Theatre and Film
    - 9.8.1.6 the College Coordinator of Technology
    - 9.8.1.7 a representative from the campus IS division (in an advisory capacity)
    - 9.8.1.8 one full-time undergraduate student from the College Undergraduate Student Advisory Board (endorsed by the Department Chair/Director)
    - 9.8.1.9 one graduate student from the College Graduate Student Advisory Board (endorsed by the Department Chair/Director)
  - 9.8.2 Rules of Membership
    - 9.8.2.1 faculty members shall serve for a three-year term, renewable once consecutively
    - 9.8.2.2 student members shall serve for a one-year term, renewable once consecutively
    - 9.8.2.3 chairs/directors of departments/schools are not eligible, but vice-chairs/vice-directors may be elected
    - 9.8.2.4 temporary vacancies shall be filled by the Dean, with the concurrence of the Executive Committee
    - 9.8.2.5 other faculty vacancies shall be filled by election of the Faculty of the unit in which the vacancy has occurred
    - 9.8.2.6 a faculty member elected or appointed to complete an unexpired term, who serves less than one-half the regular three-year extent of that term is eligible to serve for two subsequent three-year terms
    - 9.8.2.7 faculty terms of service will be staggered
  - 9.8.3 Guests from other units or Colleges may be invited to attend meetings of the Technology Committee.

#### 9.8.4 Functions and responsibilities

The Committee's general responsibility is to serve as needed in an advisory role to the Dean and as liaison between the Dean's office and the College units on all matters pertaining to technology in the College. The committee's specific duties are to:

- 9.8.4.1 provide advice relative to curriculum in digital media courses and programs, as well as in those curricular matters that involve the use of technology to a significant degree
- 9.8.4.2 provide advice relative to grant proposals that are dependent on the use of technology
- 9.8.4.3 provide input into the development of position descriptions for faculty and staff whose primary responsibilities lie in the area of technology
- 9.8.4.4. make recommendations regarding the development of new and/or innovative technology-related curricula, programs and activities, as well as to encourage the improvement of technology-related curricula and programs already in place
- 9.8.4.5 provide advice relative to maintenance of the College website
- 9.8.4.6 make recommendations regarding programs for faculty and staff development
- 9.8.4.7 provide advice relative to technology-related collaborative opportunities between the College and other campus units
- 9.8.4.8 serve as a liaison on matters of technology to curriculum committees in each of the College's academic units
- 9.8.4.9 provide input into the long range planning process for sustaining technology support in the College
- 9.8.4.10 provide advice, as appropriate, to other campus units and personnel on matters of technology in the arts

#### 9.9 Undergraduate Student Advisory Board

##### 9.9.1 Membership

- 9.9.1.1 four undergraduate students from the Department of Art and Art History
- 9.9.1.2 four undergraduate students from the ~~School of Music~~ Glenn Korff School of Music
- 9.9.1.3 four undergraduate students from the Johnny Carson School of Theatre and Film

##### 9.9.2 Rules of membership

- 9.9.2.1 Members must be full-time undergraduate students majoring in a College degree program.
- 9.9.2.2 Members are elected in accordance with the Association of Students at the University of Nebraska guidelines.
- 9.9.2.3 Members serve a two-year staggered term and are eligible for election to a second two-year term.
- 9.9.2.4 Terms begin in May.
- 9.9.3 Functions and responsibilities
  - 9.9.3.1 advocate undergraduate educational quality of the College
  - 9.9.3.2 establish and maintain a liaison of communication with undergraduate students in order to gain student opinions and concerns and to inform students of current College issues
  - 9.9.3.3 provide opportunities for formal and informal contact for undergraduate students with the Dean and the College faculty
  - 9.9.3.4 appoint undergraduate members to College standing committees
  - 9.9.3.5 provide assistance to the Dean with selected College-wide programs as appropriate
- 9.10 Graduate Student Advisory Board
  - 9.10.1 Membership
    - 9.10.1.1 two graduate students from the Department of Art and Art History
    - 9.10.1.2 two graduate students from the ~~School of Music~~ Glenn Korff School of Music (one must be a doctoral student)
    - 9.10.1.3 two graduate students from the Johnny Carson School of Theatre and Film
  - 9.10.2 Rules of membership
    - 9.10.2.1 Members must be full-time graduate students majoring in a College degree program.
    - 9.10.2.2 Members serve a two-year staggered term.
    - 9.10.2.3 Members are appointed to the Board by the Dean, upon the recommendation of their respective unit head.
    - 9.10.2.4 Terms begin at the start of the fall semester.

9.10.3 Functions and responsibilities

9.10.3.1 serve as a liaison between the Dean and the graduate student body in the College

9.10.3.2 represent the educational interests of the graduate student body in the College

9.10.3.3 provide opportunities for formal and informal contact for graduate students with the Dean and the College faculty

9.10.3.4 appoint graduate members to College standing committees

9.10.3.5 provide assistance to the Dean with selected graduate-level events in the College as appropriate

## **10. DEPARTMENTAL AND SCHOOL ADMINISTRATIVE ORGANIZATION**

### 10.1 Chairperson or Director

10.1.1 The chairperson of a department or director of a school may have a smaller than customary teaching load or no teaching load at all depending on the size and the nature of his or her administrative unit.

10.1.2 Administrative duties of the chairperson or director are not rigidly prescribed, but responsibilities include:

10.1.2.1 budgetary matters.

10.1.2.2 personnel matters.

10.1.2.3 teaching schedules and workload assignments of the faculty.

10.1.2.4 recruitment of new faculty and staff.

10.1.2.5 the business affairs of the department or school.

10.1.2.6 recruitment and retention of students.

10.1.2.7 maintaining an awareness of the teaching and research activities of the unit's faculty members, and their service as advisers and committee members, both within and outside the university.

### 10.1.3 Terms of appointment

10.1.3.1 Chairs and directors are recommended for appointment by the Dean to the Senior Vice Chancellor for Academic Affairs.

10.1.3.2 Unit faculty must be consulted by the Dean as a part of the appointment process.

10.1.3.3 Chairpersons and directors are appointed for specific terms, normally three to five years.

10.1.3.4 Chairpersons and directors are evaluated annually by the Dean, in accordance with University of Nebraska-Lincoln policy.

10.1.3.5 Near the end of the appointment period, a cumulative performance review of the chairpersons and directors will be conducted by the Dean, in accordance with guidelines set forth in the University of Nebraska-Lincoln policy relative to Review and Reappointment of Academic Administrative Officers.

10.1.3.6 The Dean also has the prerogative of reviewing the performance of chairs and directors at any time during their term of office.

## 10.2 Bylaws

10.2.1 Departments and schools must adopt their own bylaws and procedures and in them attempt to denote, as specifically as possible, policies of the department or school concerning such issues as:

10.2.1.1 duties and responsibilities of its officers, faculty, and committees.

10.2.1.2 criteria for promotion and tenure.

10.2.1.3 conduct of departmental meetings.

10.2.2 Such bylaws must be in agreement with the Bylaws of the Board of Regents, the Bylaws of the University of Nebraska-Lincoln, and the Hixson-Lied College of Fine and Performing Arts Bylaws.

## 10.3 Department Graduate Committee

10.3.1 Each administrative unit (department, school, interdepartmental area) authorized to offer major work leading to the Master's or Doctor's degree shall have a Graduate Committee.

10.3.2 Graduate committees must conform to the following guidelines:

10.3.2.1 They shall consist of no fewer than three Graduate Faculty Members, one of whom is designated as the committee chairperson.

10.3.2.2 Graduate Committee members and the committee chairperson are appointed by the Office of Graduate Studies, based on recommendations by the administrative unit through its department chairperson, chairperson of the interdepartmental area, director, or academic Dean, as appropriate.

10.3.2.3 Graduate Committees are responsible for the general supervision of graduate work in their administrative units.

10.3.2.4 The chairperson of the Graduate Committee has administrative duties, which may include the following responsibilities:

10.3.2.4.1 approving applicants to graduate programs,

10.3.2.4.2 coordinating graduate advising, and

10.3.2.4.3 recruitment for graduate teaching assistantships.

10.4 Other administrative entities

10.4.1 Other departmental or school officers

10.4.1.1 The chairperson or director may recommend the appointment of an additional officer or officers to assist in the administration of the department or school, if necessary.

10.4.1.2 A chief adviser may be appointed to coordinate advising of undergraduate majors in the department or school. The prerogatives of such an advisor may include the portioning out of advising assignments.

10.4.2 Other committees

The department or school may establish other committees, standing or ad hoc, for the conduct of department/school affairs.

10.4.2.1 Advisory or Executive Committee (especially recommended)

10.4.2.1.1 Role of an advisory or executive committee

10.4.2.1.1.1 to assist the chairperson or director in the performance of department or school business

10.4.2.1.1.2 to provide the chairperson or director consultation that represents the beliefs and preferences of the unit's faculty

10.4.2.1.2 Governance

10.4.2.1.2.1 The committee would normally be elected by a majority of the unit's faculty.

10.4.2.1.2.1 The committee meets at stated intervals.

10.4.2.1.2.1 The duties and responsibilities of the committee are articulated clearly in the bylaws of the academic unit.

10.4.2.2 Additional committees



Additional committees may be elected by the department or school or appointed by the chairperson or director. Some typical department/school standing committees, in addition to an advisory or executive committee, are:

10.4.2.2.1 Curriculum Committee

10.4.2.2.2 Grading Appeals Committee

10.4.2.2.3 Scholarship Committee

10.4.2.2.4 Library Committee

10.4.3 Faculty meetings

10.4.3.1 A department or school shall have regular faculty meetings scheduled at the convenience of its members.

10.4.3.2 The term "faculty," in this context, includes all faculty who hold appointments of 0.5 FTE or greater.

10.4.3.3 Representation with voting rights from graduate and undergraduate students is permitted at the discretion of the department or school.

10.4.3.4 Matters to be considered at faculty meetings primarily consist of policies concerning the academic program and the general welfare of the department or school and the College.

10.4.3.5 A record of the agenda for each meeting should be kept, and minutes of meetings should be distributed.

10.4.4 Actions required by the College of departments and schools

10.4.4.1 Provide the College a recommendation on reappointment for all tenure-leading faculty members and professors of practice

10.4.4.2 Provide the College recommendations for awarding tenure

In order to assure that the important process of consideration for tenure be carried out in a fair and equitable manner, each department or school is to have in place a systematic, well-defined procedure through which all faculty who are untenured and/or who have not reached the full professor rank are evaluated and considered as candidates for promotion and/or tenure.

10.4.4.2.1 Publicize the particulars of this procedure to its faculty

10.4.4.2.2 State clearly to faculty members at the time they are under scrutiny for tenure the outcome of the application of these procedures to their cases as part of their annual review with the chair or director

10.4.4.3 Provide the College recommendations based on annual reviews of all tenured faculty

10.4.4.4 Set up an in-house procedure to consider student grading appeals

## **11. POLICY ON STUDENT CHEATING**

- 11.1 Students are expected to be honest in all aspects of their academic work.
- 11.2 Academic judgments about a student's work (including questions of cheating) are the responsibility of the instructor. (Normally disagreements are resolved by means of a conference between the student and the instructor.)
- 11.3 When a student has been judged by the instructor to have cheated the student may be given a grade of an F on that assignment by the instructor and if the work in question is the final examination or some large proportion of the work for the course, the F may be given for the whole course.
- 11.4 If the student disputes the instructor's finding of academic dishonesty, the matter shall be referred to the UNL Judicial Officer as required by the UNL policy on Academic Dishonesty.
- 11.5 Appeal rights of the student
  - 11.5.1 The instructor must inform a student of the right of appeal at the time the student is accused of cheating.
  - 11.5.2 If a student feels he or she is treated unjustly, the student may take the case to his or her department or school's Grading Appeals Committee.
  - 11.5.3 The student may appeal the departmental committee's decision to the College Grading Appeals Committee if he or she is not satisfied.

## **12. INTERDEPARTMENTAL CURRICULUM OPTION**

The College permits the development of interdepartmental programs of study impossible within the purview of any one department, school or program or through a regular major or minor. Such programs would be interdisciplinary, interdepartmental inventions that draw upon the resources and strengths of the College's academic units and that are fashioned in combinations not regularly established.

- 12.1 Guidelines for development
  - 12.1.1 Programs of study are to be initiated by groups of interested faculty, and presented as a formal proposal to the Dean

- 12.1.2 The Dean then appoints an ad hoc planning committee to work out the particulars of a proposal
- 12.1.3 The proposal must gain approval of the following authorities in the order in which they are listed:
  - 12.1.3.1 chairs of all departments/school involved in the proposal
  - 12.1.3.2 the Dean
  - 12.1.3.3 the College Executive Committee
  - 12.1.3.4 the College Curriculum Committee
  - 12.1.3.5 the College Faculty at an open meeting
- 12.2 Guidelines for program supervision and review
  - 12.2.1 The planning committee is to be appointed as an area study committee, which has responsibility for the following:
    - 12.2.1.1 reviewing the program requirements periodically
    - 12.2.1.2 advising students in the program
    - 12.2.1.3 assisting with scheduling
    - 12.2.1.4 preparing and reviewing material contained in the university catalogue

### **13. RELATIONSHIP OF THE COLLEGE TO THE GRADUATE COLLEGE**

There is an over-arching Graduate College for the entire University of Nebraska. It encompasses graduate studies and research and creative activity in every academic unit of the university and adjudicates graduate issues of system-wide significance. Within the University of Nebraska-Lincoln, in parallel with the University Graduate College, the UNL Graduate College presides over all UNL graduate activities. Both have a Dean and a deliberative and executive faculty body. Both of these bodies bear the name Graduate Council. The greater, system-wide council is the Executive Graduate Council. The lesser of the two is the Graduate Council of the University of Nebraska-Lincoln which, acting as the agent of the graduate faculty on the Lincoln campuses, governs the graduate components of the various academic units of those campuses. The various graduate programs of the Hixson-Lied College of Fine and Performing Arts are subject to the regulations of the UNL Graduate College as articulated by the UNL Graduate Dean and the UNL Graduate Council.

- 13.1 In planning its graduate program each department and school in the Hixson-Lied College of Fine and Performing Arts is obliged to operate within the regulations of the Graduate College.

- 13.2 Graduate curriculum proposals
  - 13.2.1 Courses of the College carrying graduate credit must have the approval of the UNL Graduate Council.
  - 13.2.2 College departments and schools must address directly the UNL Graduate Council for acceptance of new graduate courses and changes in graduate courses.
  - 13.2.3 College departments and schools must notify the College Curriculum Committee of their proposals involving graduate courses.
  - 13.2.4 When graduate courses are approved by the UNL Graduate Council, notification is forwarded to the Executive Graduate Council.
  
- 13.3 UNL Policy for appointing Graduate Faculty (Effective June 9, 2003)
  - 13.3.1 The “Graduate Member” and “Graduate Fellow” designations are replaced by one designation: “Graduate Faculty.” Graduate Faculty possess all of the potential roles and responsibilities previously associated with Graduate Fellow.
  - 13.3.2 Every current Graduate Member and Graduate Fellow is automatically granted Graduate Faculty status. This includes all current Members and Fellows, regardless of academic rank or appointment.
  - 13.3.3 Every current and future tenure-line faculty member is automatically granted Graduate Faculty status. No application or review process of any kind is required. In the case of future hires, it is assumed that the department faculty are making a conscious decision to grant Graduate Faculty status simultaneous with the hiring decision.
  - 13.3.4 The faculty member must be in a tenured or tenure-leading position, possess a terminal degree and hold a primary appointment in a department that houses a graduate major.
  - 13.3.5 Faculty members who are hired “ABD” will not be granted Graduate Faculty status until the terminal degree has been awarded. When the terminal degree has been completed, the faculty member is automatically granted Graduate Faculty status without an application or review process.
  - 13.3.6 Non-tenure-line faculty (any full- or part-time appointment that does not hold the potential for tenure) who are not automatically granted Graduate Faculty status in 13.3.2 above must apply for Graduate Faculty status.
  - 13.3.7 Masters degree committees are now composed of at least three Graduate Faculty; doctoral committees are now composed of at least four Graduate Faculty. The Office of Graduate Studies will keep an official list of the Graduate Faculty.

## **14. POLICIES ON HANDLING BYLAWS**

- 14.1 The Dean shall ensure that each member of the faculty receives a copy of the College Bylaws as well as copies of subsequent changes adopted by the membership.
- 14.2 Passage of a motion to change the Bylaws requires a favorable vote by two-thirds of the members of the College faculty voting.

## ***THE INDIVIDUAL FACULTY MEMBER***

### **15. RIGHTS AND RESPONSIBILITIES**

#### 15.1 Obligations

Faculty members have at least three obligations to the College and University.

##### 15.1.1 Obligation to the faculty/student relationship within and outside of the classroom

Faculty members must:

15.1.1.1 competently present the material of their disciplines.

15.1.1.2 be available to their students for additional direction and counsel.

15.1.1.3 adhere to the pedagogical responsibilities of a faculty member as stated in the Bylaws of the Board of Regents, Chapter IV, 4.1.

15.1.1.4 be informed of and comply with all policies and practices concerning student records as stated in the Student Records Policy in the University of Nebraska-Lincoln Bulletin.

##### 15.1.2 Obligation to maintain professional competence by:

15.1.2.1 maintaining command of developments in their fields.

15.1.2.2 developing their capacities for research or creative activity in which they are professionally trained.

15.1.2.3 pursuing that research or creative discipline.

##### 15.1.3 Obligation to render administrative service usually through participation as follows:

15.1.3.1 on committees at departmental, college and university levels.

15.1.3.2 in the Academic Senate.

15.1.3.3 development of new programs

15.1.3.4 professional or scholarly service outside the university, etc.

#### 15.2 Mentors for new faculty

15.2.1 Each faculty member on joining the College shall be assigned a mentor.

15.2.2 The mission of the mentor is to help new faculty adapt to the campus setting by serving as a resource in matters concerning the Research Council and teaching grants, reappointment files, campus traditions, and university policies and politics.

15.2.3 Appointments

15.2.3.1 Mentors shall be appointed by the Dean in consultation with the chairs of the new faculty members.

15.2.3.2 Mentors shall be chosen from the College.

15.2.3.3 Mentor appointments normally shall be for one year, but longer terms are possible.

15.2.4 Meetings

15.2.4.1 The Dean shall arrange one occasion in the fall term for mentors and new faculty to come together.

15.2.4.2 Otherwise, meetings are at the discretion of the newcomer and mentor.

15.3 Procedures in advising

15.3.1 Advisers are assigned by department or school coordinators.

15.3.2 Advisers generally have two responsibilities:

15.3.2.1 Counseling during the early registration period during which the faculty member seeks to help students identify courses that best correspond to their individual interests and satisfy requirements in their major and other fields.

15.3.2.2 A more general advising role in which the faculty member discusses with the student his or her academic interests, talents, and personal goals.

## 16. FACULTY EVALUATION

16.1 Evaluation Entities and General Procedures

16.1.1 Criteria, policies, and practices with regard to promotion and tenure differ among departments and schools in the College. It is the responsibility of the departments and school to develop specific criteria applicable to the faculty within that unit, and to disseminate those criteria to all faculty in that unit when they are hired or when any changes are made in the criteria. The following outlines the procedures common to all units within the College.

16.1.2 At the department/school level, the staffing evaluations of different classifications of faculty are made by the following entities.

- 16.1.2.1 Staffing decisions concerning non-tenure-leading faculty are made by the chairs and directors. This authority pertains to routine temporary and part-time appointments but not necessarily to special appointments such as those of visiting experts.
  - 16.1.2.2 Recommendations regarding reappointment and/or promotion of tenure-leading faculty and professors of practice are made by the faculty of the reviewed person's department or school, who rank higher than the faculty member under review.
  - 16.1.2.3 Recommendations regarding tenure are voted on only by tenured faculty members in a department or school.
- 16.1.3 For reappointment decisions of tenure-leading faculty, the following represents the reporting and recommendation process.
- 16.1.3.1 Eligible voting faculty make a recommendation to the chairperson or director.
  - 16.1.3.2 The chairperson or director makes an independent assessment and recommendation to the Dean.
  - 16.1.3.3 The Dean, upon review of the recommendations in 16.1.2.1 and 16.1.2.2 (above) makes the decision on reappointment.
- 16.1.4 For tenure and/or promotion decisions of tenure leading faculty and for promotion decisions of professors of practice, the following represents the reporting and recommendation process.
- 16.1.4.1 Eligible voting faculty review the materials, make a recommendation, and forward the file to the chairperson or director.
  - 16.1.4.2 The chairperson or director makes an independent assessment and recommendation.
  - 16.1.4.3 The faculty recommendation, the chairperson/director recommendation, and the file are forwarded to the Dean and the College Executive Committee.
  - 16.1.4.4 The College Executive Committee reviews the file and makes a recommendation to the Dean.
  - 16.1.4.5 The Dean makes an independent assessment and recommendation.
  - 16.1.4.6 The faculty member's file, including the recommendation from the eligible voting faculty, the chairperson/director, the College Executive Committee, and the Dean, is forwarded to the Senior Vice Chancellor of Academic Affairs (SVCAA).
  - 16.1.4.7 The SVCAA makes a recommendation to the Chancellor.
- 16.1.5 At every step in the process, the faculty member must be given copies of all recommendations. The candidate may request reasons for adverse recommendations or request reconsideration of the decision by the group or individual not recommending promotion or tenure. Results of such requests should be provided to the candidate in writing. No negative recommendation shall be forwarded until the reconsideration is complete. The department or college shall establish time lines for the candidate to request either a statement of reasons or reconsideration of a decision. If the candidate requests a statement of reasons or requests reconsideration of a decision within these



~~time lines, such request shall be granted as expeditiously as possible. Departments and colleges must schedule the review process so that any reconsideration shall be completed in time to meet established submission deadlines to the next level of consideration. The purpose of the statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument, and has the right to read and respond to any recommendation forwarded to the next level.~~

## 16.2 Guidelines Concerning the Clarity of Recommendations and the Recording of Votes and Recommendations

### 16.2.1 Clarity of recommendations

Because some reviewers of the material are unlikely to be closely acquainted with the disciplines of the individuals being considered or the particular expertise of the person whose promotion or tenure is being proposed (reviewers such as the College Executive Committee, the Senior Vice Chancellor for Academic Affairs, and the Chancellor), the department or school must take great care to:

16.2.1.1 accompany all recommendations for promotion and/or tenure with documentary support materials that are presented in a clear and readily understood format.

16.2.1.2 be explicit about the factors upon which recommendations are based.

### 16.2.2 Vote information

Recommendations submitted to the Dean and the College Executive Committee must include:

16.2.2.1 the vote count of the eligible voting members of the department or school, recording all positive votes, negative votes, and/or abstentions.

16.2.2.2 an indication of the reasons for negative as well as positive votes, if there is a significant number of negative votes.

### 16.2.3 Minority opinion

Members of the voting faculty body who differ from the majority may submit in writing to the Dean and the College Executive Committee the reasons for their dissent, provided a copy is given to the individual being considered for his/her response.

## 16.3 Criteria For Evaluation

### 16.3.1 Introduction

Over the course of their career, faculty will be evaluated for the purposes of annual reappointment, annual performance evaluations, promotion in rank, the granting of tenure, and post-tenure review. The process of evaluation will consider each of the following three areas: teaching, research/creative activity, and service (including community outreach and administration), with consideration given to the specific apportionment of duties.

Assessment is made first at the department level and is determined both as appropriate to the discipline, and appropriate to this point in the faculty member's career. Specific criteria for evaluating faculty performance are determined by the faculty in the individual departments.

However, all assessment at the University is part of a process of review at several levels with built in checks and balances, and assessments or recommendations, made at all levels -- from the faculty body or promotion and tenure committee, to the chair or director, to the College Executive Committee, to the Dean, to the Senior Vice-Chancellor for Academic Affairs, and to the Chancellor. The purpose of the review at the college level (and the vice-chancellor level) is especially to insure that proper standards are being applied.

The foundational documents for evaluation procedures of faculty are the Bylaws of the Board of Regents, in particular Chapter IV: Rights and Responsibilities of Professional Staff ([http://www.nebraska.edu/board/board\\_bylaws\\_full.html](http://www.nebraska.edu/board/board_bylaws_full.html)) and UNL's Guidelines for the Evaluation of Faculty (<http://www.unl.edu/svcaa/hr/tenure/tenureguide.html>).

### 16.3.2 Terminology

The following terms are to be used for all stages of the review process. This is not a grading system in the standard sense, since College expectations are high and since the faculty hiring process itself is extremely selective. It is assumed that the College will attract and keep only meritorious, hard-working faculty members, and that new hires will maintain or raise the over-all standards of teaching, research/creative activity, and service of the individual units.

It is important to note that these terms are to be applied to the evaluation procedure for the faculty member as appropriate at that point in his or her academic career, and based on apportionment of duties.

#### 16.3.2.1 Exceptional Performance

Denotes exceptionally high performance or recognition, in one or more areas, at or near the top of his or her field nationally or internationally, that likely would not be duplicated every year.

#### 16.3.2.2 Exceeds Expectations

Denotes superior performance or recognition, in one or more areas, exceeding the high expectations of the department and the college that likely could be repeated in successive years.

#### 16.3.2.3 Meets Expectations

Denotes performance, in all areas, at a level of excellence demonstrating that a faculty member is living up to the promise shown at the time he or she was hired. Thus, "meets expectations" tends to be the normal, typical, most frequent description of faculty performance.

#### 16.3.2.4 Needs Improvement

Denotes performance, in one or more areas, that is questionable and is not consistently meeting the high standards of the college.

#### 16.3.2.5 Unacceptable

Denotes poor performance or neglect, in one or more areas.

### 16.3.3 Scope of evaluation

It is assumed that faculty will document yearly activity in the areas of teaching, research/creative achievement and service. Some projects take more than a calendar year to complete. In fact, it is expected that post-tenure faculty may engage in more adventurous and expansive projects that may take several years to bear fruit. The annual evaluation, therefore, must look not only at the specific tangible achievements for that calendar year but consider progress on larger projects and the faculty member's articulated plan for on-going and anticipated future activity in all areas in which duties have been apportioned. Evaluations for promotion and tenure will consider the entire academic career of the candidate to that point.

### 16.3.4 Criteria for tenure and for promotion to specific ranks

#### 16.3.4.1 Tenure

The College expects faculty members to be productive over their entire careers in the three important areas of teaching, research/creative activity, and service. The College sees the interdependence of these three as fundamental and expects achievement in these three areas to carry national or international significance, as appropriate. A recommendation for tenure should be made only if the faculty member's attainment is not only significant but also has been sustained over a long enough period of time to indicate the likelihood of continuation after an award of tenure.

In order to attain tenure, faculty performance in the areas of teaching, research/creative activity and service must meet the requirements of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. However, achievement in all areas must at least meet expectations at the time of tenure. (see 16.3.2.3)

In all but unusual circumstances, promotion of tenure eligible faculty to the rank of associate professor takes place at the same time as or before the tenure decision. However, since the decision regarding tenure is based upon broader criteria, the two actions take place separately and require separate decisions. While it is assumed that a faculty member who has earned tenure should also have earned promotion to associate professor, promotion in rank carries no guarantee regarding the granting of tenure.

#### 16.3.4.2 Promotion to specific ranks for tenure-leading faculty

In order to attain promotion, faculty performance in the areas of teaching, research/creative activity and service must meet the expectations of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. In respect to the terminology for evaluation, at the time of promotion to associate or full professor, achievement in all areas must, at the very least, "meet expectations."

##### 16.3.4.2.1 Assistant Professor

Appointment to the rank of assistant professor signifies that a faculty member is well qualified to launch upon a full-fledged academic career. Qualifications include completion of a terminal degree or equivalent

experience in the practice of the discipline. Unless the letter of appointment designates one as holding a Special Appointment pursuant to Regents Bylaws 4.4.1, assistant professors will be on both promotion and tenure tracks. In the period between appointment as an assistant professor and promotion to associate professor, terms expressed in the letter of offer, in the position description, and in the annual evaluations provide guidance regarding professional development to the faculty member and to peers and administrators charged with judging progress toward promotion.

#### 16.3.4.2.2 Associate Professor

To attain the rank of associate professor, the candidate should be an accomplished teacher, where teaching is an assigned responsibility, have a significant record of scholarly/creative work in keeping with the individual's job responsibilities, and have a significant record of service. Time-in-rank as an assistant professor is ordinarily at least five years, and typically is six years. Earlier promotion is quite unusual and implies that a candidate has accomplished in the shorter time period what normally would be expected in the longer one.

In all but unusual circumstances, promotion of tenure eligible faculty to the rank of associate professor takes place at the same time as or before the tenure decision. However, since the decision regarding tenure is based upon broader criteria (particularly involving the probability of continued achievement and the attainment of national or international recognition), the two actions take place separately and require separate decisions. While it is assumed that a faculty member who has earned tenure should also have earned promotion to associate professor, promotion in rank carries no guarantee regarding granting of tenure.

Although it is the objective of the University to have all faculty sufficiently qualified to eventually gain promotion to professor, no time limitations compel faculty to seek the highest academic rank in the University. Associate professors with tenure may stay in that rank for the duration of their careers.

#### 16.3.4.2.3 Professor

The rank of professor is the highest academic rank in the University. The rank of professor is reserved for those faculty members whose achievements in research/creative activity (including pedagogy) are sufficient to merit recognition as distinguished authorities in their field and who hold the professional respect of their colleagues in their discipline. Usually, the candidates have been awarded tenure. Although it is the objective of the University to have all faculty sufficiently qualified to eventually gain promotion to professor, no time limitations compel faculty to seek the highest academic rank in the University. Associate professors with tenure may stay in that rank for the duration of their careers. Ordinarily, it is highly unusual for faculty to move from associate professor to professor in less than seven years.

To attain the rank of professor, most phases of the candidate's work must evince a level of sustained accomplishment. Such accomplishment is of the

sort that would merit national recognition in appropriate arenas. That does not mean that the subject of the work must be of national character or scope. The subject may well be regional or local, but the importance of the work should be sufficient to merit significant recognition.

Peers and administrators evaluating a candidate for professor should review documentation of the entire academic career to date. That record will include outside evaluations. The record of a successful candidate for professor must show evidence of sustained excellence over an extended period of time. A recommendation for promotion should be made only if the faculty member's attainment is not only of sufficient significance, but also indicates the likelihood of continuation after promotion to this rank.

#### 16.3.4.3 Promotion to specific ranks for professors of practice

In order to attain promotion, faculty performance in the areas of teaching and service must meet the expectations of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. In respect to the terminology for evaluation, at the time of promotion to associate or full professor of practice, achievement in both areas must, at the very least, "meet expectations."

##### 16.3.4.3.1 Assistant Professor of Practice

Appointment to the rank of assistant professor of practice signifies that a faculty member holds the appropriate terminal degree and has demonstrated success in academic or professional instruction.

##### 16.3.4.3.2 Associate Professor of Practice

To attain the rank of associate professor of practice, the candidate must hold the appropriate terminal degree, achieved success in academic or professional instruction, and contributed to advancing learning in the field. The candidate must have demonstrated excellence in academic or professional instruction, evidenced e.g. by student evaluations, portfolio, peer review, and student learning outcomes. The candidate must provide evidence of leadership in instructional activity that has had significant impact on the department, college, or University.

##### 16.3.4.3.3 Professor of Practice

The rank of professor of practice is reserved for those faculty members who meet a very high performance standard. In addition to the requirements for associate professor of practice, the minimum expectation is for national visibility for the candidate's instructional activities and/or practice, achievable through, e.g. leadership in professional organizations, instructional methods and/or materials disseminated nationally, and grant funding for instructional activities/innovation.

Peers and administrators evaluating a candidate for professor of practice should review documentation of the entire academic career to date. That record will include outside evaluations.

#### 16.3.5 Criteria for triggering post-tenure review

If a tenured faculty member receives an “unacceptable” evaluation for two consecutive years in the category of teaching or the category of research/creative activity, the unit administrator will initiate the post-tenure review process.

### 16.4 Record Keeping For Faculty Activities and Achievements

16.4.1 Records concerning each faculty member are maintained in files kept by the individual faculty member, the faculty member's department or school, and the College.

16.4.2 Faculty inform their chairpersons or directors of their activities and achievements in the form of materials that will become the basis for the annual evaluation related to merit salary adjustments, and also for evaluations concerned with reappointment and progress toward tenure, promotion, the awarding of Continuous Appointment, post-tenure review, and honors and awards for which the faculty member may be nominated.

16.4.3 Information about individual faculty activities and achievements is conveyed in three bodies of documentation that the faculty member provides. They are:

#### 16.4.3.1 The Cumulative Faculty Record

16.4.3.1.1 This record is initiated by the faculty member upon commencing employment at the university in order to provide a continuous record of the faculty member's activities, accomplishments, and honors.

16.4.3.1.2 This record is updated and submitted yearly as part of the annual review of faculty for determining merit salary adjustments.

16.4.3.1.3 The Cumulative Faculty Record and its updates are kept on file by the College in the Dean's Office. Copies are also to be kept on file by the department or school in the chair or director's office, and by the individual faculty member.

#### 16.4.3.2 The annual faculty evaluation file

16.4.3.2.1 This file, maintained by the individual faculty member, is submitted yearly as part of the annual review of faculty for determining merit salary adjustments, and contains, in addition to a copy of the Cumulative Faculty Record, additional materials deemed relevant by the individual academic unit to its faculty member's remuneration and status.

#### 16.4.3.3 The faculty career achievement file

16.4.3.3.1 The materials assembled in the annual evaluation file, including all student evaluations, shall be preserved by the faculty member and shall cumulatively form the core of the faculty career achievement file, which is the documentation provided by the faculty member for evaluations concerning

reappointment, progress toward tenure, promotion, awarding Continuous Appointment, post-tenure review, and honors and awards for which the faculty member may be nominated.

16.4.3.3.2 Faculty members shall have access to all material submitted for their evaluation (except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member) and the opportunity to respond in writing.

16.4.3.4 The college file and the departmental or school file

16.4.3.4.1 The College file

16.4.3.4.1.1 The College shall maintain a file on each faculty member consisting of the yearly Cumulative Faculty Record and any additional relevant materials.

16.4.3.4.1.2 Faculty members have a right to see and respond to the contents of their College file, except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member.

16.4.3.4.2 The departmental or school file

16.4.3.4.2.1 The department or school shall maintain a file or files on each faculty member consisting of the initial letters of offer and acceptance, memoranda of reappointment, promotion, tenure, copies of the yearly Cumulative Faculty Record and Performance Evaluation Summary, the Personnel Action Form and Personal Data Form, similar personnel documents, and any additional relevant materials.

16.4.3.4.2.2 Faculty members have a right to see and respond to the contents of their department or school file(s), except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member.

16.4.3.4.3 Faculty members may petition their chair, director, or dean to have material removed from their departmental or school or college file.

## 16.5 Reappointment, Promotion and Tenure Files

16.5.1 Faculty members are required to create a record of accomplishment for the purposes of reappointment, tenure and promotion.

16.5.2 Reappointment files are prepared annually by probationary faculty and in the penultimate term year by professors of practice. They are primarily constituted from the materials that document achievement in the areas of teaching, research/creative activity, service, and outreach. The files are cumulative and must contain the appropriate documentation and executive reviews from all years leading to tenure and promotion decisions. The reappointment process is separate from that of tenure and promotion; however, untenured faculty members and professors of practice should be

advised of the University's tenure and promotion documentation requirements when assembling their materials for reappointment each year.

- 16.5.3 Candidates for tenure and promotion must provide materials in accordance with the Documentation Request form that emanates from the office of the Senior Vice-Chancellor. Although the request includes items within the following general categories, candidates must refer to the current Documentation Request form for the specific requirements and to specific guidelines described in their respective departmental/school governance documents.

16.5.3.1 Professional summary and employment history.

16.5.3.2 Evidence of and analysis of the quality and significance of quality and effectiveness of teaching.

16.5.3.3 Evidence of and analysis of the quality and significance of scholarly, professional, and creative activity, including awards, prizes and other noteworthy recognition. (Tenure-leading faculty only.)

16.5.3.4 Evidence of and analysis of the quality and significance of professional and institutional service, outreach activities, and related recognitions.

## 16.6 Rights of Access and Contribution To Materials Used In Personnel Evaluations

### 16.6.1 ~~Access to promotion and/or tenure files~~

~~Anyone (including the candidate) with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material.~~

~~Other faculty members in the candidate's department may contribute comments and other material to the candidate's file and material may be solicited from a variety of sources. For that reason, the Bylaws of the Board of Regents guarantee the individual being considered for tenure "access to all material submitted for his or her evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.~~

- 16.6.2 The rights of access and written response ~~is~~ are guaranteed by Sections ~~2.5.82.9.8~~ of the UNL Bylaws and 4.6 of the Bylaws of the University of Nebraska Board of Regents, which states that "faculty members shall have access to all material submitted for their evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.

- 16.6.3 Faculty members being evaluated shall have the right of access to all material used to assist in any evaluations of their professional performance, with certain exceptions as noted below.

16.6.3.1 Consequently, all evaluation material must be made available for the inspection of the person being evaluated.

16.6.3.2 The right of access shall embrace not only factual documentation but also interpretive commentary, solicited or unsolicited, coming from any source, unless the faculty member has waived access (see 16.6.12 below).



- 16.6.3.3 The primary repository of evaluation material and therefore the most notable body of data to which the access right applies is the faculty member's evaluation file. This file is compiled by departments and schools to assist the various evaluating bodies to form annual performance evaluations and recommendations as to promotion, tenure, reappointment, non-reappointment, termination, or merit salary increase.
- 16.6.3.4 The faculty member under evaluation shall be notified of the identities of contributors of commentary, with certain exceptions as noted below.
- 16.6.4 The person being evaluated must be notified of the identities of persons or groups to whom material used in evaluation is made available.
- 16.6.5 If separate evaluative commentary is solicited or received from individuals not through a "regular, normal process," the interpretations of this document do apply.
- 16.6.6 Anonymity
- 16.6.6.1 Anonymous contributions shall neither be solicited nor consulted in any evaluation or review.
- 16.6.6.2 The general prohibition against anonymity in evaluation materials shall not apply to evaluatory compilations that, though possibly including individual statements that are anonymous, emerge from groups known as a whole to the person being evaluated. Such groups include the following two instances:
- 16.6.6.2.1 student evaluations of faculty teaching performance, when they are collected through a regular, normal process either required or facilitated by a unit of UNL; and
- 16.6.6.2.2 evaluation of administrative performance, when the materials are collected through a regular, normal process, particularly in meeting the requirements of the UNL Bylaws, Section 2.3.2.1.
- 16.6.7 Rights to append written responses
- 16.6.7.1 Opportunity must be provided to allow the person under review to attach written responses to evaluative material not exempted by waiver.
- 16.6.7.2 Access to material must be granted for an interval of time reasonably sufficient to allow for the composition of written responses, before the file becomes available to persons or groups charged to evaluate and/or recommend.
- 16.6.8 These rules are not intended to limit oral discussion in a meeting of a group charged to conduct a review and produce a recommendation, provided that:
- 16.6.8.1 the discussion is based preponderantly upon materials already accumulated in the file.
- 16.6.8.2 New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to

~~respond, no derogatory material sufficiently substantive to affect the decision is introduced for the first time at the meeting.~~

- 16.6.9 It is the responsibility of the individual conducting the meeting to:
  - 16.6.9.1 make necessary judgments concerning the substantives of new material.
  - 16.6.9.2 divulge to the person being evaluated any new material offered to the evaluating group.
  - 16.6.9.3 make sure that the person under scrutiny has opportunity to respond to new material, if necessary, by delaying the vote or decision.
- 16.6.10 A synopsis of discussion at such a meeting is given to the person being evaluated.
- 16.6.11 These rules are not intended to restrict the right of any evaluating group to vote its recommendation by secret ballot.
- 16.6.12 Waiver options
  - 16.6.12.1 A person under evaluation may waive any or all rights of access to:
    - 16.6.12.1.1 any information or materials accumulated for a review file.
    - 16.6.12.1.2 any portions of said information or materials.
    - 16.6.12.1.3 knowledge of the identity of any or all informants.
      - For example, a person under evaluation may:
        - 16.6.12.1.3.1 waive the right to inspect written comments solicited from outside peer reviewers.
        - 16.6.12.1.3.2 claim the right to inspect the reviews but waive the right to know the identity of the reviewers.
        - 16.6.12.1.3.3 waive the right to know the identity of student evaluators.
  - 16.6.12.2 Waivers shall be:
    - 16.6.12.2.1 attached to the file.
    - 16.6.12.2.2 written specifically, clearly indicating what portion of a document is included in the waiver.
    - 16.6.12.2.3 executed prior to the solicitation or accumulation of material.
    - 16.6.12.2.4 submitted voluntarily.
  - 16.6.12.3 It is forbidden to coerce staff members into executing waivers, either directly or indirectly. Waivers must not be required, neither by request of the person or persons

conducting the review nor by the establishment of unit policies or procedures that require or assume the granting of waivers.

#### 16.6.13 Notification to contributors of rights of access

16.6.13.1 Individuals invited or required to contribute to an evaluation file must be notified, prior to handing over their material, of the rights of access and inspection and/or of any waivers of those rights that have been executed.

16.6.13.2 This right to be notified shall be granted all persons contributing material -- students, colleagues, supervisors, and committees within the university as well as peer reviewers solicited from the university.

#### 16.6.14 Exceptions to the rule of rights of access

16.6.14.1 These regulations and the relevant Bylaws sections shall not apply in the case of a current university staff member becoming a candidate for another position within the university. The rights of access to materials accumulated in behalf of candidacy shall be the same for all a position's candidates and shall be rendered neither more nor less restrictive for university employees than for external candidates.

16.6.14.2 Pledges of confidentiality granted by the university and duly constituted university officials prior to these interpretations of Bylaw provisions shall not be rescinded even if they violate the current interpretations. (Retroactive application of interpretations of Bylaw text would surely compel the university to violate pledges of confidentiality made in good faith. Undoubtedly, university records contain material the collection of which was accompanied by promises of confidentiality sanctioned by Bylaw interpretations previous to those of this document. The old pledges should be honored; recommendations derived according to past procedures should not be rescinded; no effort should be made to "purge" files retroactively.)

16.6.15 Resolutions of disputes about staffing recommendations shall be adjudicated individually by the appropriate supervisor, each on its own merits.

16.6.16 The provisions of Section ~~2.5.42.9.4~~ of the UNL Bylaws shall not diminish the availability of material to persons or groups legitimately charged with the responsibility to review files and to participate in consultation leading to recommendations for personnel actions.

### 16.7 Assessment of Teaching

The faculty believe that a variety of techniques and materials are important in the appraisal of teaching effectiveness.

#### 16.7.1 Student evaluations

16.7.1.1 Evaluations by students shall be administered in every course of a faculty member's regular teaching load, every semester, except as indicated in 16.7.1.2. These will be used to assess the quality of the courses including the quality of a faculty member's teaching.

16.7.1.2 Evaluations of courses that do not contribute to the faculty member's teaching load credit are not required, for example, dissertation hours, continuing education courses, individual research, or individual reading courses.

16.7.1.3 While graduate students are to have the opportunity to evaluate their formal courses, each unit is allowed to modify evaluation mechanisms to take into account differences between undergraduate and graduate instructional procedures.

16.7.1.4 Each department or school shall be free to devise whatever evaluation form it deems appropriate, provided that the form includes questions calling for response to the following topics:

16.7.1.4.1 The instructor's handling of the class, for example:

16.7.1.4.1.1 Were the course requirements made clear?

16.7.1.4.1.2 Was the instructor in the class during the scheduled class times?

16.7.1.4.1.3 Was there an opportunity (keeping in mind class size) for questions?

16.7.1.4.1.4 Were the examinations related to topics covered in the classroom, laboratory, or studio, and in reading assignments?

16.7.1.4.1.5 Were exams, projects, and papers returned in a reasonable time?

16.7.1.4.2 The instructor's skill in communication, for example:

16.7.1.4.2.1 If the class was primarily lecture, were the lectures clear and well-organized?

16.7.1.4.2.2 If the class was primarily discussion, were the discussions focused and well-guided?

16.7.1.4.2.3 Was the instructor enthusiastic about the subject?

16.7.1.4.2.4 Was the instructor helpful in clarifying problems or difficult points?

16.7.1.4.2.5 Were answers to questions to the point and understandable?

16.7.1.4.2.6 Was the use of instructional equipment appropriate for the subject matter?

16.7.1.4.3 the student's perception of the extent of the learning experience

16.7.1.4.4 the degree to which the student feels interest and thinking have been stimulated

16.7.1.4.5 In December, 1993, the UNL Academic Senate passed the following resolution: "In departments where the Teaching & Learning Center evaluation form is not used, the Senate calls for each department to use a summative form that requests the student to indicate if the faculty member has treated

students with fairness and respect or has discriminated against a group of students on irrelevant grounds, particularly groups that have traditionally been subject to discrimination and are listed in the Regents Bylaws, section 4.1.b., or in the Professional Ethics Statement adopted by the Academic Senate (adopted April 17, 1990). Language that addresses this resolution must be included in all department/school student evaluations surveys.

#### 16.7.1.5 Procedure for administering pencil-and-paper student evaluations

16.7.1.5.1 The instructor or a designee shall distribute the evaluation forms during a class period.

16.7.1.5.2 The instructor or designee shall be absent from the room while students fill out the evaluations.

16.7.1.5.3 Students shall always have the option to sign or not sign the evaluation forms.

16.7.1.5.4 A volunteer from among the students in the class shall collect the completed evaluation forms and deliver them to the department or school office in a sealed envelope provided by the instructor.

16.7.1.5.5 The evaluations shall be provided to the instructor after final course grades have been submitted, and the instructor shall assure the students that this measure protective of their freedom of expression will be implemented.

16.7.1.6 Those interpreting the evaluations should give due consideration to the differing circumstances under which signed and unsigned evaluations were written.

16.7.1.7 Before student evaluations are given to the chairperson or director or an authorized faculty committee for review, the faculty member being evaluated shall have opportunity to append any explanations or additional information he or she may want to accompany the evaluation packet.

16.7.1.8 The faculty member's response should be included with the raw data for any review.

16.7.1.9 Once the evaluations have been used for the annual evaluation of the faculty member and/or tenure and promotion procedures, those evaluations become the property of the individual faculty member.

#### 16.7.2 External peer review of teaching

16.7.2.1 If external peer review of teaching is required by the department/school (see below), the chairperson or director must submit materials to be evaluated which includes responses from at least three evaluators, external to the campus. This list of respondents may include people suggested by the faculty member, supplemented by other names at the discretion of the chairperson or director.

16.7.2.2 External peer review of research/creative activity is required for all College faculty for tenure and promotion, but not for reappointment evaluations.

16.7.2.3 Departments/school in the College may require external peer review of teaching as part of that unit's criteria for promotion and/or tenure.

16.7.3 The following are examples of other categories of information that the Faculty believes to be useful for evaluating teaching:

16.7.3.1 Self-evaluation by the individual faculty member.

16.7.3.2 Evaluations of courses that are linked in discipline-specific sequences: an indication of the quality of student work in courses that follow from the courses under scrutiny.

16.7.3.3 Growth and development of student accomplishment in attaining course objectives as measured by pre- and post-testing.

16.7.3.4 Curriculum development and innovations.

16.7.3.5 Review of teaching materials, examining such issues as their ideological currency, academic soundness, relationship to course objectives, and conceptual sophistication.

16.7.3.6 Interpretation of student complaints, provided that the content and nature of any complaint be made known to the faculty member under review, that the faculty member have opportunity to respond in writing, and that the response be incorporated into his or her permanent file.

16.7.3.7 Classroom visitation

16.7.3.7.1 If a program of classroom visitation is adopted, the following safeguards must be followed:

16.7.3.7.1.1 Choice of visitors shall be from among the faculty responsible for reviewing pedagogical performance and shall not include the chairperson or director.

16.7.3.7.1.2 The individual under review shall be free to invite as observers any additional members of the faculty responsible for his or her review.

16.7.3.7.1.3 The department shall present in writing to the observers and the individual under review a checklist of the attributes to be appraised.

16.7.3.7.1.4 The faculty member shall have the right to see the report(s) of the observer(s) before submission to the chairperson or director and/or authorized faculty committee and to write a response that shall be attached to the report(s).

16.7.3.7.1.5 No anonymous reports will be accepted.

16.7.4 Academic freedom in relation to teaching

The boundaries that academic freedom places upon what is said in and out of the classroom are described in the Bylaws of the Board of Regents, Chapter IV, 4.2.

**17. DEPARTMENTAL PROCEDURES FOR EVALUATION OF TENURE-LEADING FACULTY FOR THE PURPOSE OF REAPPOINTMENT**

- 17.1 All tenure-leading faculty who have not been awarded tenure are reviewed annually for the purpose of reappointment decisions. Each probationary appointment, unless specified in his/her contract, is for one year and shall carry no presumption of renewal, and will terminate at the end of the stated term, according to the policies and procedures of the Bylaws of the Board of Regents, section 4.4.2.
  
- 17.2 Evaluation for reappointment is based on a reappointment file, assembled by the faculty member, according to the guidelines contained in Section 16.5 - Reappointment, Promotion and Tenure Files. For reappointment decisions of non-tenure faculty, external peer evaluation (16.7.2) is not required.
  
- 17.3 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the department or school. The chairperson/director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the chairperson or director and a recommendation from the chairperson or director to the Dean). The letter from the voting faculty must include the following information:
  - 17.3.1 the reappointment year of the faculty member being evaluated.
  - 17.3.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
  - 17.3.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
  - 17.3.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 17.3.5 the action recommended by the voting faculty, the options of which are reappointment or non-reappointment.
  
- 17.4 The letter from the chairperson or director must include the following information:
  - 17.4.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 17.4.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are reappointment or non-reappointment.
  
- 17.5 Rules governing the evaluative comments

- 17.5.1 As required by UNL Bylaws and Board of Regents' Policies, these comments are to make specific recommendations for improvement and professional development in teaching, scholarly and/or creative activity, and service that will enhance the faculty member's chances of eventually achieving tenure at the end of the probationary period.
- 17.5.2 Care should be taken that a positive annual review is not understood as a promise of eventual tenure. A positive evaluation should be interpreted as a prognosis merely favorable, not binding on the part of the university. It is important to recognize that sustained positive contributions are critical for the awarding of tenure.
- 17.5.3 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)

17.6 Importance of clarity in the evaluative comments

It is vital that the evaluative comments of the eligible voting faculty and the chairperson or director be clear and specific, because, in addition to their decision function, they fill two informational roles. One of those roles is to provide guidance to the faculty member being evaluated of his/her progress toward tenure and/or promotion. The other role is to provide a historical context helpful to those charged with future evaluations of the faculty member's progress from year to year. The more specific and succinct the comments, the more useful they will be both to the faculty member and to subsequent evaluators. The evaluations should be specific in their discussions of creative activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.

17.7 As per UNL bylaws, the chair or director must make every attempt to secure votes from all faculty eligible to vote on reappointment.

17.8 The Dean shall make the final decision on reappointment of tenure-leading faculty.

**18. DEPARTMENTAL PROCEDURES FOR EVALUATION OF FACULTY FOR THE PURPOSE OF GRANTING TENURE**

18.1 Procedures for creating a tenure application file (See 16.4 and 16.7)

The faculty member under consideration must assemble a tenure file, in accordance with the department/school, College, and university timelines, containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the tenure judgment. Its contents should be as follows:

- 18.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)



- 18.1.2 data regarding the three areas by which tenure decisions are made: teaching, research/creative activity, and service
- 18.2 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.
- 18.3 Chairpersons and directors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the chairperson or director -- or chairperson of a promotion and tenure committee—to provide advice on the assembly of the tenure file to ensure that no important information has been overlooked.)
- 18.4 A recommendation for tenure should be made only if the faculty member's attainment is not only significant but also has been sustained over a long enough period of time to indicate likelihood of continuation.
- 18.5 The total period of service prior to a "continuous appointment" for a member of the faculty is described in the Bylaws of the Board of Regents, Chapter IV. 4.10. The "mandatory" evaluation for a tenure decision is the sixth year of total full-time service, as defined in the Bylaws of the Board of Regents, Section 4.10. It is possible in truly exceptional instances, for a faculty member to request consideration for the granting of tenure before the mandatory year. Through past practice, the University has indicated the granting of early tenure will be awarded only to extraordinary faculty members who have substantially exceeded the criteria for tenure.
- 18.6 The following policies are procedures to be followed in any tenure evaluation:
- 18.6.1 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the department or school. The chairperson/director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the chairperson or director and a recommendation from the chairperson or director to the Dean). The letter from the voting faculty must include the following information:
- 18.6.1.1 the reappointment year of the faculty member being evaluated.
- 18.6.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
- 18.6.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
- 18.6.1.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
- 18.6.1.5 the action recommended by the voting faculty, the options of which are "for tenure" or "against tenure" or "abstention."

- 18.7 The letter from the chairperson or director must include the following information:
- 18.7.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 18.7.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for tenure" or "against tenure."
- 18.8 Rules governing the evaluative comments
- 18.8.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
  - 18.8.2 The evaluative comments of the eligible voting faculty and the chairperson or director must be clear and specific, citing clear reasons for the recommendations provided. The evaluations should be specific in their discussions of creative activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include reference to student evaluations used and how they were interpreted.
- 18.9 As per UNL Bylaws, the chair or director must make every attempt to secure votes from all faculty eligible to vote on tenure.
- 18.10 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

## **19. DEPARTMENTAL PROCEDURES FOR EVALUATION OF TENURED AND TENURE-LEADING FACULTY FOR THE PURPOSE OF PROMOTION**

(Refer to 16.3.4.2 for the College criteria for promotion to specific ranks.)

- 19.1 Since an application for promotion may occur without application for tenure, or after tenure is granted, this section of the bylaws is included separately.
- 19.2 As a general guideline, it is expected that faculty will remain in each rank of assistant professor and associate professor for six years while preparing for advancement. It is possible, however, for applications for "early" promotion to be considered in truly exceptional cases. In such instances, all established criteria for promotion must be met or exceeded.
- 19.3 In many instances application for promotion to associate professor and application for tenure occur at the same time. In these cases, the faculty member's file is evaluated for both

simultaneously, and the evaluative letters from the eligible voting faculty and the chairperson or director should speak to both issues, tenure and promotion. If it is not the mandatory year for consideration of the faculty member's tenure, it is possible for the voting faculty and/or the chairperson/director to recommend "for promotion" and "against tenure."

19.4 Procedures for creating a promotion application file. (see 16.4 and 16.7)

19.4.1 The faculty member under consideration must assemble a promotion file containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the judgment. Its contents should be as follows:

19.4.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)

19.4.1.2 data regarding the three areas by which promotion decisions are made: teaching, research and/or creative activity and service.

19.5 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.

19.6 Chairpersons and directors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the chairperson or director -- or chairperson of a promotion and tenure committee -- to provide advice on the assembly of the promotion file to ensure that no important information has been overlooked.)

19.7 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the department or school. The chairperson/director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the chairperson or director and a recommendation from the chairperson or director to the Dean).

19.7.1 The letter from the voting faculty must include the following information:

19.7.1.1 the reappointment year of the faculty member being evaluated.

19.7.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.

19.7.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against" and the number of abstentions.

19.7.1.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.

19.7.1.5 the action recommended by the voting faculty, the options of which are "for promotion" or "against promotion" or "abstention."

- 19.7.2 The letter from the chairperson or director must include the following information:
  - 19.7.2.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 19.7.2.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for promotion" or "against promotion."
- 19.7.3 Rules governing the evaluative comments
  - 19.7.3.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
  - 19.7.3.2 The evaluative comments of the eligible voting faculty and the chairperson or director must be clear and specific, citing clear reasons for the recommendations provided. The evaluations should be specific in their discussions of creative activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.
- 19.7.4 As per UNL Bylaws, the chair or director must make every attempt to secure votes from all faculty eligible to vote on promotion.
- 19.7.5 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

**20. DEPARTMENTAL PROCEDURES FOR EVALUATION OF PROFESSORS OF PRACTICE FOR THE PURPOSE OF REAPPOINTMENT**

- 20.1 Professors of practice are reviewed in the penultimate year of their term for the purpose of reappointment decisions. Appointments for assistant professor of practice range from one to three years; associate professor of practice, one to four years; and professor of practice, one to five years. The appointments shall carry no presumption of renewal, and will terminate at the end of the stated term, according to the policies and procedures of the Bylaws of the Board of Regents, section 4.4.8.
- 20.2 Evaluation for reappointment is based on a reappointment file, assembled by the faculty member, according to the guidelines contained in Section 16.5 - Reappointment, Promotion and Tenure Files.
- 20.3 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty in the department or school. The chairperson/director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the chairperson or director and a recommendation

from the chairperson or director to the Dean). The letter from the voting faculty must include the following information:

- 20.3.1 the reappointment year of the faculty member being evaluated.
- 20.3.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
- 20.3.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
- 20.3.4 specific evaluative comments on the faculty member's teaching and service.
- 20.3.5 the action recommended by the voting faculty, the options of which are reappointment or non-reappointment.

20.4 The letter from the chairperson or director must include the following information:

- 20.4.1 specific evaluative comments on the faculty member's teaching and service.
- 20.4.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are reappointment or non-reappointment.

20.5 Rules governing the evaluative comments

- 20.5.1 As required by UNL Bylaws and Board of Regents' Policies, these comments are to make specific recommendations for improvement and professional development in teaching and service that will enhance the faculty member's chances of eventually achieving tenure at the end of the probationary period.
- 20.5.2 Care should be taken that a positive annual review is not understood as a promise of reappointment. A positive evaluation should be interpreted as a prognosis merely favorable, not binding on the part of the university.
- 20.5.3 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)

20.6 Importance of clarity in the evaluative comments

It is vital that the evaluative comments of the eligible voting faculty and the chairperson or director be clear and specific, because, in addition to their decision function, they fill two informational roles. One of those roles is to provide guidance to the faculty member being evaluated of his/her progress toward promotion. The other role is to provide a historical context helpful to those charged with future evaluations of the faculty member's progress from year to year. The more specific and succinct the comments, the more useful they will be both to the faculty member and to subsequent evaluators. The evaluations should be specific in their discussions so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.

20.7 As per UNL bylaws, the chair or director must make every attempt to secure votes from all faculty eligible to vote on reappointment.

20.8 The Dean shall make the final decision on reappointment.

## **21. DEPARTMENTAL PROCEDURES FOR EVALUATION OF PROFESSORS OF PRACTICE FOR THE PURPOSE OF PROMOTION**

(Refer to 16.3.4.3 for the College criteria for promotion to specific ranks.)

21.1 As a general guideline, it is expected that faculty will remain in each rank of assistant professor of practice and associate professor of practice for six years while preparing for advancement. It is possible, however, for applications for "early" promotion to be considered in truly exceptional cases. In such instances, all established criteria for promotion must be met or exceeded.

21.2 Procedures for creating a promotion application file. (see 16.4 and 16.7)

21.2.1 The faculty member under consideration must assemble a promotion file containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the judgment. Its contents should be as follows:

21.2.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)

21.2.1.2 data regarding the two areas by which promotion decisions are made: teaching and service.

21.3 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.

21.4 Chairpersons and directors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the chairperson or director -- or chairperson of a promotion committee -- to provide advice on the assembly of the promotion file to ensure that no important information has been overlooked.)

21.5 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty in the department or school. The chairperson/director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the chairperson or director and a recommendation from the chairperson or director to the Dean).

- 21.5.1 The letter from the voting faculty must include the following information:
  - 21.5.1.1 the reappointment year of the faculty member being evaluated.
  - 21.5.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
  - 21.5.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against" and the number of abstentions.
  - 21.5.1.4 specific evaluative comments on the faculty member's teaching and service.
  - 21.5.1.5 the action recommended by the voting faculty, the options of which are "for promotion" or "against promotion" or "abstention."
- 21.5.2 The letter from the chairperson or director must include the following information:
  - 21.5.2.1 specific evaluative comments on the faculty member's teaching and service.
  - 21.5.2.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for promotion" or "against promotion."
- 21.5.3 Rules governing the evaluative comments
  - 21.5.3.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
  - 21.5.3.2 The evaluative comments of the eligible voting faculty and the chairperson or director must be clear and specific, citing clear reasons for the recommendations provided. The evaluations should be specific in their discussions so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.
- 21.5.4 As per UNL Bylaws, the chair or director must make every attempt to secure votes from all faculty eligible to vote on promotion.
- 21.5.5 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

**22. COLLEGE AND EXECUTIVE COMMITTEE PROCEDURES FOR EVALUATION OF FACULTY FOR THE PURPOSES OF REAPPOINTMENT, PROMOTION, AND GRANTING TENURE**

- 22.1 Reappointment

After reappointment reviews are completed and recommendations are formulated by both the eligible voting faculty and the chairperson or director, those recommendations are forwarded to the College office. After receiving the recommendations of the voting faculty and the chairperson/director, and a copy of the faculty member's current Curriculum Vitae, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean's recommendation is forwarded to the Senior Vice Chancellor for Academic Affairs. A copy of the recommendation must be provided to the faculty member and the chairperson/director.

22.2 Promotion/Tenure

After promotion and/or tenure reviews are completed and recommendations are formulated by both the eligible voting faculty and the chairperson or director, those recommendations are forwarded, along with the candidate's tenure and/or promotion file, to the College office.

22.3 When the file and the recommendations are received in the Dean's office, both the Dean and the members of the College Executive Committee will be notified and the initial examination of all materials will be completed on an individual basis.

22.4 The College Executive Committee then meets as a whole to discuss the faculty member's application, the supporting materials, and the letters from the department/school faculty and the chairperson or director. Unless additional information is requested, the Committee formulates a letter of recommendation, with detailed reasons for their recommendation, and submits it to the Dean, to be transmitted to the Senior Vice Chancellor for Academic Affairs, with the applicant's file. Except as noted in section ~~20-522.5~~, below, each of the nine members on the College Executive Committee has one vote.

22.5 When a promotion or tenure recommendation is being considered, the College Executive Committee members from the candidate's home department or school shall:

22.5.1 not vote.

22.5.2 withdraw from the meeting room so that their presence not be construed as inhibiting free discussion.

22.6 The College Executive Committee expects to concur with the school and departmental recommendations unless there are strong reasons not to do so. If the Committee does have questions about a promotion and/or tenure recommendation from a department or school or feels the evidence supporting such a recommendation is inadequate, the following steps are to be taken:

22.6.1 the chairperson or director is to be given an opportunity to present additional materials that might help clarify the position taken by his/her department or school, prior to the final vote of the College Executive Committee. New material of such a substantive nature as to adversely affect the decision shall not be introduced unless the candidate is to be



given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decisions until the person has had the opportunity to respond.

22.6.2 If the recommendation of the College Executive Committee and the department/school and/or the chairperson/director are in opposition:

22.6.2.1 the department/school or chairperson may appeal for reconsideration.

22.6.2.2 the appeal may be made by the department/school, chairperson or director, or by the faculty member under review.

22.6.2.3 The faculty member involved:

22.6.2.3.1 should be consulted by the chairperson or director to seek his or her input in the appeal.

22.6.2.3.2 may join personally in the appeal.

22.6.3 If the College Executive Committee disagreement with the department or school remains after any subsequent review or appeal, the reasons for disagreement must be provided in writing to the chairperson/director and to the individual concerned, ~~and the negative recommendation with all supporting information is forwarded to the Dean for transmittal to the Senior Vice Chancellor for Academic Affairs.~~

22.6.4 If the College Executive Committee recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5. No negative recommendation shall be forwarded until the reconsideration is complete.

22.6.~~5~~4 After receiving the recommendations of the voting faculty, the chairperson/director, and the College Executive Committee, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean will forward his/her recommendation and all requested file materials to the Senior Vice Chancellor for Academic Affairs, ~~the candidate. The Dean also will send copies of his/her recommendation and that of the College Executive Committee to the faculty member,~~ the College Executive Committee, and the chairperson/director. If the Dean recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5.

22.6.~~6~~5 The faculty member under consideration has the right to withdraw the application for tenure and/or promotion at any step in the process, without prejudice. If it is the candidate's mandatory year for tenure consideration, withdrawal from consideration implies that the candidate will not seek tenure and his/her contract will expire at the end of the probationary period.

## 23. POST-TENURE REVIEW

(University of Nebraska-Lincoln Guidelines for the Evaluation of Faculty 9/30/97; amended 9/16/98)

### Special Peer Review

#### 23.1 Purpose

The special peer review process is intended to assist tenured faculty in achieving their professional goals and maximizing their Contributions to the University throughout their professional careers, to provide assurance to the public that tenured faculty are accountable for their performance, and to provide continued peer involvement in the review of tenured faculty members. (It remains the responsibility of the Senior Vice Chancellor for Academic Affairs and the Vice Chancellor for the Institute of Agriculture and Natural Resources, respectively, to ensure that annual reviews referred to herein are conducted in all departments in a rigorous and equitable manner.)

#### 23.2 Applicability of review process

The special peer review process is applicable to all members of the faculty who have been on a continuous contract pursuant to Board of Regents Bylaws 4.4.3 for a period of three years or more. A faculty member shall not be subject to or eligible for a special peer review more than once every four years. A faculty member shall be reviewed in accordance with the special peer review process in either of the following circumstances:

##### 23.2.1 A faculty member receives (after the third year of being on continuous contract):

23.2.1.1 A written annual evaluation from the unit administrator that identifies a substantial and chronic deficiency in the faculty member's performance and clearly states that if the faculty member does not make substantial, acceptable progress toward remedying the deficiency by the next annual evaluation, a post-tenure review will be initiated; and

23.2.1.2 Notification deriving from the next annual review that the unit administrator has determined that the substantial and chronic deficiency identified in the previous evaluation has not been remedied, that a post-tenure review is appropriate, and that the dean concurs. Ordinarily, the faculty member shall be provided notification by June 30 that a review will be scheduled for the following academic year. Upon recommendation of the unit administrator and approval of the dean, a faculty member subject to post-tenure review under this section may be exempted or deferred for review if there are clearly extenuating circumstances (such as health problems) and an alternate plan for addressing the problems is adopted.

23.2.2 A faculty member requests a review in accordance with the special peer review process. The purpose of such a review would be to provide helpful evaluation and assistance to the faculty member in planning a prospective program by which the faculty member can maximize his or her contributions to the University and more fully realize his or her professional goals.

### 23.3 Initiating the review process

- 23.3.1 Whenever a special peer review is initiated, either by the faculty member or the unit administrator, the unit administrator shall first consult with the faculty member and then shall establish a schedule for the conduct of the review. Ordinarily, the review shall be scheduled for the academic year, and preferably the fall term, following notification of, or request by, the faculty member.
- 23.3.2 For a review initiated under 21.2.1 above, the unit administrator shall construct a special peer review file containing a clear identification and description of the deficiency or deficiencies, copies of the faculty member's last three annual reviews, such other materials as are relevant, and a document suggesting ways in which the deficiency could be removed. For a review initiated under 21.2.2 above, the unit administrator shall provide the Review Committee with a file containing copies of the faculty member's previous three annual reviews and such other materials as are relevant.
- 23.3.3 The faculty member shall have the opportunity to supplement the special peer review file throughout the review process by including any information the faculty member believes to be material and helpful to the Review Committee or to administrators involved in the review process. The unit administrator shall cooperate with the faculty member to provide relevant information and shall periodically notify the faculty member of additions to the file. The faculty member shall be given access to all materials in the special peer review file. If the faculty member acknowledges a deficiency in performance, he or she is encouraged to include in the file a plan to remedy the deficiency or to otherwise maximize the faculty member's achievement of professional goals and contribution to the unit's mission, with specific goals and timetables for their achievement.
- 23.3.4 The faculty member and the unit administrator may include in the file a response to material provided by the other.
- 23.3.5 The unit administrator shall provide the Review Committee with a copy of the procedures and schedule for the special peer review.

### 23.4 Appointing the Review Committee

- 23.4.1 A Review Committee shall be selected to conduct the review of the faculty member's performance. The Committee shall be composed of an appropriate group of tenured faculty from within and outside the unit who hold an academic rank at least equal to that of the faculty member to be reviewed. The Committee shall include some representation of the discipline and mission of the faculty member under review. Ordinarily the Committee should be composed of 3 individuals capable of providing a fair and unbiased assessment of the faculty member's performance.
- 23.4.2 Initially, the unit administrator and the faculty member shall meet and attempt to agree on the composition of the Committee, which must be approved by the dean.

23.4.3 If the unit administrator and the faculty member are unable to agree on the composition of the Committee, the Committee shall be chosen by an appropriate elected faculty committee within the unit, or, for departments with fewer than ten full-time faculty members, within the College; the composition of the Committee is subject to approval by the dean. Each unit, in its by-laws or otherwise, shall have previously designated the appropriate elected faculty committee for this purpose.

### 23.5 Conducting the review

23.5.1 The Review Committee shall review the file constructed for this purpose and may meet with the unit administrator and the faculty member, either together or separately. The Committee may consult other sources of information not included in the file with the approval of the unit administrator and the faculty member.

23.5.2 Evaluation by peers external to the campus is required when research productivity is an issue: evaluation by peers external to the campus may be used when teaching and/or service/extension productivity is in question. If the Review Committee determines that evaluation by external peers is required or would be useful, the Committee shall notify the unit administrator and the faculty member. Thereafter, such outside reviews shall be obtained in accordance with the same procedure utilized by the unit to obtain outside reviews for purposes of making tenure decisions.

23.5.3 In accordance with the schedule for the review established by the unit administrator, the Review Committee shall make a written report of its findings and recommendations, if any.

23.5.4 If the special peer review is conducted at the request of the unit administrator pursuant to section 21.2.1 of this procedure, the written report of the Review Committee shall be provided to the unit administrator, the faculty member's dean, and the faculty member.

23.5.5 If the special peer review is conducted at the request of the faculty member pursuant to section 21.2.2 of this procedure, the written report of the Review Committee shall be provided solely to the faculty member. The faculty member, at his or her discretion, may keep the Report confidential, share it with the unit administrator, or share it with the unit administrator and dean. If requested by the faculty member, the unit administrator and dean shall provide a written response to the Report, indicating the extent to which he or she agrees or disagrees with the findings and recommendations of the Report and why. At the request of the faculty member, the Report and any response from administrators shall be made part of the faculty member's permanent personnel record. The faculty member, the unit administrator, and the dean shall work together to implement those recommendations on which they mutually agree. Nothing in the Report shall be used in any university evaluation without the consent of the faculty member. However, the faculty member may not attempt to utilize only a portion of the Report or any edited version of the Report in other university evaluations.

### 23.6 Preparing the Review Committee report

23.6.1 The purpose of the Review Committee Report is to provide an assessment of the performance of the faculty member subject to review and, where appropriate or

necessary, to provide recommendations to maximize the faculty member's contributions to the unit and the University. The Review Committee Report is advisory. The Report shall include part (1) below and, as appropriate, parts (2) through (5):

- (1) An assessment of the strengths and weaknesses of the faculty member's performance;
- (2) Recommendations for ways, if any, in which the faculty member could enhance achievement of his or her professional goals and his or her contributions to the mission of the unit, including suggestions, where appropriate, for adjustment in the faculty member's responsibilities, goals and timetables for meeting the goals, and criteria for assessing the faculty member's achievement of enhanced performance.
- (3) An evaluation of any proposed plan submitted by the unit administrator or the faculty member to remedy any deficiency in the faculty member's performance and any recommended modification to such a plan.
- (4) Recommendations for ways, if any, in which the unit administrator could provide professional development support to assist the faculty member in enhancing achievement of his or her professional goals and his or her contribution to the mission of the unit.
- (5) For a review initiated under 21.2.1 above, any recommendations for sanctions to be imposed upon the faculty member for performance characterized by substantial and chronic deficiency.

23.6.2 The Review Committee, if it believes that inappropriate criteria have been used to evaluate the faculty member, shall also indicate that fact in its Report.

23.6.3 For a review initiated under 21.2.1 above, the Review committee shall make one of the following findings, to be clearly stated in its Report:

23.6.3.1 The faculty member has not identified substantial and chronic deficiencies. If the Review Committee finds that the faculty member's performance does not reflect any substantial and chronic deficiency or deficiencies for the period under review, the faculty member and the unit administrator will be so informed in writing and the review is thereby completed.

23.6.3.2 The faculty member has substantial and chronic deficiencies. The Review Committee shall state and describe the deficiency or deficiencies in its Report, which shall include all the elements listed under 21.6, items (1) through (5). The Committee shall provide a copy to the faculty member and the unit administrator.

23.6.4 The unit administrator shall allow the faculty member being reviewed an opportunity to provide a written response to the Review Committee Report. Except when the review was conducted at the faculty member's request, the Report and any response from the faculty member shall be made a part of the faculty member's permanent personnel record.

- 23.7 Completing the review process under a finding of substantial and chronic deficiency
- 23.7.1 Upon receipt of a Review Committee report and the faculty member's response, if any, the unit administrator shall meet with the faculty member reviewed to consider the report and any recommendations therein. The unit administrator shall then provide the faculty member and the dean with a written appraisal of the faculty member's performance, together with all documentation pertaining to the faculty member's review, including the file constructed for the review, the Review Committee's Report, and the faculty member's written response to the review, if any. The appraisal shall include, where appropriate:
- 23.7.1.1 the extent to which the unit administrator accepts or rejects the findings and recommendations of the Review Committee Report and the reasons for doing so; the unit administrator may reject the Review Committee's findings only for compelling reasons, communicated in writing to the faculty member and the dean.
  - 23.7.1.2 a plan outlining the expectations of the unit administrator as to how the faculty member can remedy any deficiency in performance or enhance the faculty member's professional goals and contribution to the unit, including specific goals and time tables for achieving such goals and the criteria to be applied in making such a determination;
  - 23.7.1.3 the resources the unit administrator is willing and able to provide the faculty member to assist in implementing the plan;
  - 23.7.1.4 any adjustment in assignment or responsibilities of the faculty member; and
  - 23.7.1.5 any sanction to be imposed on the faculty member related to his or her performance. Sanctions governed by Regents Bylaws shall only be imposed following the procedure prescribed in the by-laws.
- 23.7.2 The dean, after review and consultation, may accept, modify, or reject the unit administrator's written appraisal and recommendations, but where the dean's appraisal differs from that provided by the Review Committee or where the dean accepts recommendations that differ from those provided by Review Committee, the dean may modify or reject only for compelling reasons, communicated in writing. The dean's response shall be provided to the faculty member and to the unit administrator.
- 23.7.3 A faculty member dissatisfied with the results of the special peer review and the unit administrator's subsequent appraisal, or the dean's acceptance, modification or rejection of it, may pursue any appeal or remedy otherwise available to faculty members relating to matters that affect their employment status (21.2).
- 23.7.4 Progress towards achieving the goals and timetables set out in the unit administrator's plan, as approved by the dean, will be reviewed in subsequent annual reviews. If the faculty member fails to achieve the goals and timetables defined in that plan, those administrative processes defined by the Regent's Bylaws (and different from special peer review) may be initiated as appropriate. Special peer review is not a prerequisite for initiation of those other administrative processes.

23.8 Review of the special peer review

In the academic year following its fifth full year of operation, the Special Peer Review system shall be reviewed by a joint taskforce of administrators and faculty members. The taskforce shall assess the system's efficacy, fairness, and overall contribution to institutional betterment. (21.1). The standards for substantial and chronic deficiency shall be determined by the faculty in each unit and, when approved by the appropriate unit administrator, dean and vice chancellor, shall become part of its evaluation procedures.

**Adopted August, 1993**

**Amended at College Faculty meeting on 12/3/93 (Changes approved by vote at meeting)**

**Amended at College Faculty meeting on 4/23/97 (Changes approved by mail ballot)**

**Amended at College Faculty meeting on 10/8/97 (Changes approved by mail ballot)**

**Amended at College Faculty meeting on 4/5/00 (Changes approved by vote at meeting)**

**Revised, 2002-2004 (Changes approved by vote at College Faculty meeting on 3/31/04)**

**Amended at College Faculty meeting on 4/5/06 (Change approved by unanimous vote at meeting)**

**Amended at College Faculty meeting on 11/2/06 (Change approved by unanimous vote at meeting)**

**Amended at College Faculty meeting on 4/4/07 (Change approved by vote at meeting)**

TO: The Board of Regents  
Academic Affairs

MEETING DATE: November 18, 2016

SUBJECT: Revisions to rules and regulations for faculty and student self-government organizations

RECOMMENDED ACTION: Report

PREVIOUS ACTION: January 10, 2010 – The Board approved an 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.

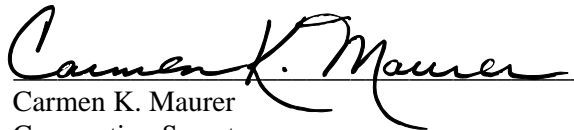
EXPLANATION: The *Bylaws of the Board of Regents* Section 1.2 as amended on January 10, 2010 state, “In any case where any officer, group or agency has been authorized by these *Bylaws* to adopt rules or regulations, such rules or regulations, before they may be effective, shall be:

- (1) considered by the officer, group or agency at a public hearing held after giving reasonable advance public notice thereof;
- (2) reviewed and approved by the General Counsel for consistency with these *Bylaws* and applicable policies, laws and regulations; and
- (3) filed with the Corporation Secretary for report to the Board. The President and cognizant Chancellor are to be timely provided with a courtesy copy of any public hearing notice.”

Consistent with these *Bylaws* and operating procedures, the following changes have been filed with the Corporation Secretary since the last meeting of the Board and are attached for your information:

- Fall 2016 Amendments to the *Bylaws of the Hixson-Lied College of Fine and Performing Arts* at the University of Nebraska-Lincoln

REPORTED BY:

  
Carmen K. Maurer  
Corporation Secretary

DATE: November 3, 2016



## **HLCFPA proposed Bylaws amendments Addendum – Fall 2016**

### **Proposed updates to reflect new School of Art, Art History & Design**

For specific changes, please refer to the mark-up document posted at <http://arts.unl.edu/hlfpa/faculty-resources-and-bylaws>.

1. Replace “Department of Art and Art History” with “School of Art, Art History & Design” in all instances.
2. Replace references to “department chair” (or “chairperson”, or “chairperson of department”, etc.) to “director”.
3. Replace references to “department” with “school” (or “department/school”, or “departmental or school”, etc.). However, these replacements are limited to instances where “department” was clearly indicating an academic unit within the Hixson-Lied College. More general references to “department” or “departmental”, reflecting simply an organizational level smaller than a college, were left alone, since these often occurred within sections that were borrowed from University policies.

# BYLAWS

APPROVED BY COLLEGE FACULTY - MARCH 31, 2004

APPROVED BY BOARD OF REGENTS - AUGUST 7, 2004

AMENDED BY COLLEGE FACULTY – APRIL 5, 2006

AMENDED BY COLLEGE FACULTY – NOVEMBER 2, 2006

AMENDED BY COLLEGE FACULTY – APRIL 4, 2007

AMENDED BY COLLEGE FACULTY – APRIL 8, 2011

AMENDED BY COLLEGE FACULTY – APRIL 4, 2014

AMENDED BY COLLEGE FACULTY – NOVEMBER 13, 2015

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## **1.0 NAME**

The name of the organization shall be the Hixson-Lied College of Fine and Performing Arts, University of Nebraska-Lincoln (sometimes referred to as the College or H-LCFPA in these Bylaws).

## **2.0 CONSTITUENTS**

The Hixson-Lied College of Fine and Performing Arts shall consist of three academic units (the ~~Department of Art and Art History~~ School of Art, Art History & Design, the Glenn Korff School of Music, the Johnny Carson School of Theatre and Film) and the Mary Riepma Ross Media Arts Center.

## **3.0 AFFILIATES**

Units affiliated with the College are the Center for Great Plains Studies Art Collection, the Lentz Center for Asian Culture, the Lied Center for Performing Arts, and the Sheldon Memorial Art Gallery and Sculpture Garden.

## **4.0 GOVERNANCE**

The governance of the College lies with two groups, the faculty and the administrative component.

## **5.0 FACULTY**

### **5.1 Powers of the faculty**

The faculty of the College is the general approving body for matters not specifically assigned to the administrators by the Board of Regents. Within the limits of federal and state law, the Bylaws of the University of Nebraska Board of Regents, the UNL Bylaws, policies established by the office of the Chancellor, the Academic Senate, and the Graduate College<sup>1</sup>, the faculty shall:

- 5.1.1 establish rules for the conduct of its business.
- 5.1.2 establish committees, assign their functions and responsibilities, and choose their members.
- 5.1.3 establish and amend the College Bylaws.
- 5.1.4 establish and regulate instructional content, including:

<sup>1</sup>In case of a conflict among these entities, the “supremacy” of provisions is in the following order: (1) applicable law, (2) bylaws and policies of the Board of Regents, (3) UNL bylaws, (4) bylaws and rules of the College.

- 5.1.4.1 requirements for degrees (undergraduate and graduate).
- 5.1.4.2 the academic programs for majors and minors.
- 5.1.4.3 courses to be offered for credit in the College.
- 5.1.5 establish procedures and regulations for students in the College regarding such matters as:
  - 5.1.5.1 admission.
  - 5.1.5.2 probation.
  - 5.1.5.3 dismissals.
  - 5.1.5.4 reinstatement.
  - 5.1.5.5 other matters related to the maintenance of proper academic standards.
- 5.1.6 make recommendations for honorary degrees.
- 5.1.7 consider other business brought before it by the Dean, the Executive Committee, individual faculty, or other authorized persons according to procedures outlined in these Bylaws.
- 5.1.8 consider other items of broad interest to the welfare of the faculty.
- 5.2 Voting membership
  - 5.2.1 The voting membership of the College shall consist of faculty who hold continuous, specific term, or regular/non-temporary special appointments of 0.5 FTE or greater and who are not working toward an advanced degree at the University of Nebraska-Lincoln.
  - 5.2.2 Faculty associated with more than one department shall vote in the department designated on the personnel action form as the home or tenured home department.
  - 5.2.3 Faculty members in other colleges shall not be voting members unless specifically authorized by action of the faculty of the Hixson-Lied College of Fine and Performing Arts.

## **6.0 COLLEGE ADMINISTRATION**

- 6.1 The administrative component of the College shall include:
  - 6.1.1 the Dean.

- 6.1.2 the Associate Dean.
- 6.1.3 the Assistant Dean and/or one or more Special Assistants to the Dean.
- 6.1.4 the Administrative Council.

## 6.2 Duties of the College administrative component

The College Administrative Component is charged with the broad responsibility of leadership for the College, toward the broad goal of assisting the students and faculty of the College to achieve their goals in learning, teaching, research/creative activities, and service. Specifically it deals with:

- 6.2.1 maintaining effective communication with the Central Administration and other important campus constituencies.
- 6.2.2 overseeing academic programs, to include those that are collaborative with other campus units.
- 6.2.3 providing directives for college-wide strategic planning for the College.
- 6.2.4 coordinating all activities pertaining to admission and advising.
- 6.2.5 facilitating governance of all College affairs by the faculty.

## 6.3 The Dean

### 6.3.1 General responsibilities

The Dean, as chief administrative officer for the College, is responsible for the oversight of all aspects of the operation of the College, to include academic programs, personnel, physical facilities, student affairs, faculty governance, and the management of fiscal resources.

### 6.3.2 Performance reviews

The Dean's performance is reviewed annually by the College and higher administrative officers with a substantive review after each five years of service. Reviews are conducted in accordance with university guidelines on review and reappointment of academic administrative officers.

## 6.4 The Associate Dean

### 6.4.1 Appointment and term of service

The Associate Dean is appointed by the Dean with the advice and approval of the College Executive Committee. The Associate Dean will serve for a three-year term, and can be

reappointed for successive three-year terms based on satisfactory performance of duties and responsibilities.

#### 6.4.2 General responsibilities

6.4.2.1 The Associate Dean reports to the Dean and is directly responsible for all matters pertaining to academic and student affairs in the College, including the following:

6.4.2.1.1 degree programs and curriculum.

6.4.2.1.2 accreditation and academic program review.

6.4.2.1.3 advising.

6.4.2.1.4 admissions.

6.4.2.1.5 academic distinction and awards.

6.4.2.1.6 summer sessions.

6.4.2.1.7 College-wide assessment.

6.4.2.1.8 College mentoring program.

6.4.2.1.9 special projects, programs and activities.

6.4.2.2 The Associate Dean serves as Acting Dean in the Dean's absence and assists the Dean as needed with the day-to-day operation of the College.

#### 6.4.3 Performance reviews

The Associate Dean's performance is reviewed annually by the Dean, with input from faculty and staff in the College. A substantive review is conducted after each three years of service. Reviews are conducted in accordance with university guidelines on review and reappointment of academic administrative officers.

#### 6.5 Assistant Dean/Special Assistants to the Dean

#### 6.6 Administrative Council

6.6.1 The Administrative Council serves as the management team for the College, and consists of the following individuals:

6.6.1.1 the Dean

6.6.1.2 the Associate Dean for Academic Affairs

6.6.1.3 the ~~Chair-Director~~ of the ~~Department of Art and Art History~~School of Art, Art History & Design

6.6.1.4 the ~~Chair-Director~~ of the Johnny Carson School of Theatre and Film

6.6.1.5 the Director of the Glenn Korff School of Music

6.6.2 The Administrative Council meets weekly and at other times as deemed necessary and appropriate by the Dean.

## **7.0 COLLEGE FACULTY MEETINGS**

7.1 The College faculty shall meet at least once each semester.

7.2 Presiding at meetings

7.2.1 The Dean shall preside at meetings of the faculty.

7.2.2 In the absence of the Dean, the Associate Dean shall preside.

7.2.3 In the absence of the Dean or the Associate Dean, the faculty shall elect a representative to chair the meeting.

7.3 Secretary

The Administrative Assistant to the Dean shall serve as the Secretary for the College Faculty Meetings.

7.4 Parliamentarian

The Dean shall appoint a Parliamentarian at the first meeting of each academic year.

7.5 A meeting of the College Faculty and Staff may be called by:

7.5.1 the Dean.

7.5.2 the Executive Committee, upon formal request to the Dean.

7.5.3 a written request by at least ten (10) of the College's voting membership.

7.6 Notification requirements

7.6.1 A call for a meeting shall be distributed in writing to the faculty by the Dean no less than one week before the meeting.



- 7.6.2 Copies of the agenda and pertinent information shall be provided to the faculty no less than three working days prior to the meeting.
  - 7.6.3 These requirements may be waived by a quorum in the case of an emergency meeting.
  - 7.6.4 The agenda of each meeting is to be sent to the Undergraduate Student Advisory Board and the Graduate Student Advisory Board. (see 7.11)
- 7.7 Meeting agenda.
- Items may be placed on the agenda as follows:
- 7.7.1 by the Dean
  - 7.7.2 by the Executive Committee, upon written request to the Dean
  - 7.7.3 by at least five (5) of the voting membership, who shall submit the item in writing to the Dean's office no less than two weeks prior to the scheduled meeting
  - 7.7.4 by action from the floor, provided that no substantive matter introduced at the meeting be voted on during the same meeting
- 7.8 Quorum
- 7.8.1 A quorum of at least five (5) voting members from each of the academic units must be present before any business can be transacted.
  - 7.8.2 If an item has been presented in advance at two successive meetings at which a quorum has not been present, then the membership present shall constitute a quorum for the purpose of acting on that particular item.
- 7.9 Mail/e-mail ballots
- 7.9.1 A motion to refer an item to a mail/e-mail ballot of the faculty shall be in order after the call for the question but before the vote is taken on any substantive matter before the faculty.
  - 7.9.2 A motion to have a mail/e-mail ballot shall be adopted providing twenty-five (25) percent of the members present or ten (10) members, whichever is greater, favor it.
  - 7.9.3 A mail/e-mail ballot may be used only for substantive issues.
  - 7.9.4 In the case of a mail/e-mail ballot, a summary of the arguments germane to the motion's issue shall be prepared by the Secretary and sent, along with the ballot, to each member of the College faculty.

7.10 Elections

7.10.1 All elections, including those conducted through mail/e-mail ballots, shall be decided by majority vote of all members voting.

7.10.2 If a majority is not reached on the first ballot, a second balloting on the two candidates receiving the highest number of votes shall be held.

7.11 Student representation

Two student organizations may have representation at the College faculty meetings.

7.11.1 Undergraduate Student Advisory Board

7.11.2 Graduate Student Advisory Board

7.11.3 Guidelines for participation:

7.11.3.1 Representatives are non-voting.

7.11.3.2 Representatives shall be selected from their respective memberships.

7.11.3.3 A maximum of two representatives from either organization may attend.

7.11.3.4 Representatives must be majoring in a program in the Hixson-Lied College of Fine and Performing Arts.

7.12 Limitations

Except when otherwise provided in these Bylaws, all procedures shall be in accord with the latest edition of Robert's Rules of Order.

## **8.0 REGULATIONS GOVERNING ALL COLLEGE COMMITTEES**

8.1 Standing committees

There shall be the following standing committees and student organizations in the College:

8.1.1 Executive Committee

8.1.2 Apportionment Committee

8.1.3 Curriculum Committee

8.1.4 Academic Distinction and Awards Committee

- 8.1.5 Grading Appeals Committee
- 8.1.6 Program Advisory Council
- 8.1.7 Faculty Research Travel Committee
- 8.1.8 Technology Committee
- 8.1.9 Undergraduate Student Advisory Board
- 8.1.10 Graduate Student Advisory Board
- 8.2 Rules regulating other standing committees
  - 8.2.1 All other standing committees will be established, modified, or terminated, as needed, by the majority vote of those present and voting at a College faculty meeting.
  - 8.2.2 The faculty shall prescribe the responsibilities and method of selection of such committees.
  - 8.2.3 Each standing committee shall report to the faculty at least once each year.
- 8.3 Ad-hoc committees
  - 8.3.1 The College may establish ad-hoc committees with appointment by the Dean after consultation with the Administrative Council and Executive Committee in order to effectively manage College affairs.
  - 8.3.2 All ad-hoc committees will be given a specific charge and time frame for the execution of their responsibilities.
- 8.4 General term regulations
  - 8.4.1 Terms of office on all committees, except those held by permanent appointment, shall be staggered.
  - 8.4.2 Faculty members shall be elected and student members shall be appointed in the spring semester.
  - 8.4.3 All terms will begin with the opening of the fall semester, except in the cases of members appointed by the Dean to fill unexpected vacancies.

## **9.0 REGULATIONS GOVERNING STANDING COMMITTEES**

- 9.1 Executive Committee
  - 9.1.1 Membership

- 9.1.1.1 the Dean
- 9.1.1.2 the Associate Dean
- 9.1.1.3 three members (at least one must be an art historian\*) nominated and elected from and by the ~~Department of Art and Art History~~School of Art, Art History & Design
- 9.1.1.4 three faculty members (at least one must be a faculty member whose research/creative activity is dedicated at least 50 percent to scholarly research and publication\*) nominated and elected from and by the Glenn Korff School of Music
- 9.1.1.5 three faculty members nominated and elected from and by the Johnny Carson School of Theatre and Film

\*Should such a faculty member be either unavailable or unwilling to serve, then that position may be filled by any qualified faculty member from that ~~department or school~~school.

#### 9.1.2 Rules of membership

- 9.1.2.1 All Executive Committee members must be full-time, tenured faculty members in the College.
- 9.1.2.2 No Executive Committee member may be a ~~chair or director~~director.
- 9.1.2.3 Term of office shall be four years.
- 9.1.2.4 Elections shall be held in the spring semester and terms shall begin in the fall semester.
- 9.1.2.5 Persons who have served two consecutive terms may not succeed themselves on the committee.
- 9.1.2.6 Temporary vacancies shall be filled for the duration of the vacancy through appointment by the appropriate ~~chair/director~~director in consultation with the Dean.
- 9.1.2.7 Other vacancies occurring, except those by expiration of term, shall be filled by vote of the faculty in the ~~department~~/school represented by the vacating member.
- 9.1.2.8 If such a ~~department~~/school election cannot take place immediately, the position may be filled by appointment of the Dean with the concurrence of the Executive Committee.

#### 9.1.3 Functions and responsibilities

- 9.1.3.1 The Executive Committee shall meet at least three times each semester.

9.1.3.2 The Committee shall serve in an advisory capacity to the Dean, and shall discuss and act upon issues involving College business and the general welfare of the College, including:

9.1.3.2.1 consideration of action on recommendations for tenure and promotions in rank (Tenure and promotion guidelines will adhere to those published in the Bylaws of the Board of Regents and those policies in the Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure of the University of Nebraska-Lincoln).

9.1.3.2.2 consultation with the Dean on selections of ~~chairpersons and~~ directors.

9.1.3.2.3 service as an appeals committee for individual staff members who desire clarification of their status within the College.

9.1.3.2.4 service as an appeals committee for ~~chairpersons of departments and~~ directors of schools regarding budget or any other matter affecting the welfare of the ~~department~~ or school.

9.1.3.2.5 presentation at the appropriate time to the faculty for its vote nominees for membership on the Academic Senate Committee on Committees.

#### 9.1.4 Governance procedures

9.1.4.1 The Dean shall be chair of the Executive Committee.

9.1.4.2 In the Dean's absence, the Associate Dean shall act as chair.

9.1.4.3 Either the Dean or the elected faculty member with the most seniority rank and total years of service in the College may convene the Committee.

9.1.4.4 In an unusual circumstance, a majority of the elected members of the Executive Committee may call a meeting to deliberate and make judgments on any issue dealing with the business or general welfare of the College.

9.1.4.5 The results of these deliberations may be presented to the College as a whole, as well as to other administrative levels in the University.

#### 9.2 Apportionment Committee

##### 9.2.1 Membership

9.2.1.1 all elected members of the Executive Committee.

##### 9.2.2 Rules of Membership

9.2.2.1 rules of Executive Committee membership (9.1.2) will apply

9.2.3 Functions and responsibilities

The Committee shall serve as the College's apportionment grievance committee, as stipulated in the Board of Regents Bylaws [4.3 (b)(2)(i)].

9.2.4 Governance procedures

9.2.4.1 At the first Executive Committee meeting of the academic year, elected committee members will elect an Apportionment Committee chair from amongst themselves for that academic year.

9.2.4.2 The chair will convene the Apportionment Committee in the event of a submitted grievance.

9.2.4.3 Any Executive Committee member who is party to a grievance must recuse himself or herself from the deliberations and decision.

9.2.4.4 For each grievance, the faculty member and the unit administrator will individually submit their cases in writing to the chair of the Apportionment Committee. Upon its review of the submitted narratives, the Apportionment Committee may request additional documents, data, or material from either or both individuals. In addition, the Apportionment Committee may request to meet with one or both of the individuals involved, either together or separately.

9.2.4.5 As stipulated in the Board of Regents Bylaws, "the committee shall consider the positions of each party in relation to the departmental and college missions, as well as the faculty member's overall areas of professional competence and expertise. The committee shall decide whether the apportionment of the faculty member's responsibilities shall be changed and, if so, in what manner. The decision of the committee shall be reasonably within the faculty member's overall areas of professional competence and expertise; it shall be in writing and it shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these [Regental] Bylaws. It shall be final, subject only to review by the committees established by Sections 4.13, 4.14, and 4.15 of these Bylaws."

9.2.4.6 In so much as the responsibilities of "the committees established by Sections 4.13, 4.14, and 4.15" (Grievance Committee, Academic Freedom and Tenure Committee, and Professional Conduct Committee) are subsumed under the purview of the Academic Rights and Responsibilities Committee at UNL, any further pursuit of the grievance (should either party be dissatisfied with the decision of the College Apportionment Committee) should be directed to the ARRC.

9.3 Curriculum Committee

9.3.1 Membership

9.3.1.1 the Associate Dean, who serves as the non-voting Executive Secretary

- 9.3.1.2 one faculty member elected by the faculty in the ~~Department of Art and Art History~~School of Art, Art History & Design
- 9.3.1.3 one faculty member elected by the faculty in the Glenn Korff School of Music
- 9.3.1.4 one faculty member elected by the faculty in the Johnny Carson School of Theatre and Film
- 9.3.1.5 one full-time undergraduate student majoring in a program in the College (selected by the Undergraduate Student Advisory Board)
- 9.3.1.6 one graduate student majoring in a program in the College (selected by the Graduate Student Advisory Board)
- 9.3.1.7 College Advising Coordinator (Ex Officio)
- 9.3.2 Rules of Membership
  - 9.3.2.1 faculty members shall serve for three years
  - 9.3.2.2 student members shall serve for one year
  - 9.3.2.3 faculty members shall have been members in this College at the rank of assistant professor/assistant professor of practice, or higher, for at least two years prior to selection.
  - 9.3.2.4 ~~chairs/directors of departments/schools~~ are not eligible, but ~~vice chairs/vice-associate~~ directors may be elected
  - 9.3.2.5 committee members may not serve for more than two consecutive terms
  - 9.3.2.6 temporary vacancies shall be filled by the Dean, with the concurrence of the Executive Committee
  - 9.3.2.7 other vacancies shall be filled by election of the Faculty of the unit in which the vacancy has occurred
  - 9.3.2.8 an empty position awaiting election shall be filled through appointment by the Dean with the concurrence of the Executive Committee
  - 9.3.2.9 a faculty member appointed to complete an unexpired term, who serves less than one-half the regular three-year extent of that term is eligible to serve for two subsequent three-year terms
- 9.3.3 Guests from other units or Colleges may be invited to attend meetings of the Curriculum Committee.
- 9.3.4 The Executive Secretary shall distribute the agendas for and minutes of all Curriculum Committee meetings to the ~~chairs/directors~~ and to the curriculum chairs of each of the academic units in the College; to the Dean's office, and to each of the affiliated arts units.

### 9.3.5 Functions and responsibilities

The Committee's general responsibility is to supervise undergraduate curricula in the College. The committee shall consider student need, duplication, intellectual content, and relationships with other College and university programs. The committee's specific duties are to:

- 9.3.5.1 approve additions, deletions, and revisions of courses.
- 9.3.5.2 determine the applicability of courses toward degree requirements.
- 9.3.5.3 interpret degree requirements in cases of uncertainty.
- 9.3.5.4 encourage the improvement of curricular programs within the College.
- 9.3.5.5 serve, along with the Executive Committee, as the overall academic planning group for the College.
- 9.3.5.6 concern itself with the quality of the course offerings within the College and to promote their excellence.
- 9.3.5.7 establish a subcommittee on "Special Student Requests" that would be charged with adjudicating independent petitions of a non-routine nature related to student academic programs referred to it by the Dean's Office. (An example of such a petition would be a request to waive College-wide academic requirements. The subcommittee may have members who are not members of the Curriculum Committee.)
- 9.3.5.8 ensure that courses are accurately described in the UNL Bulletin.
- 9.3.5.9 review and recommend general and liberal education requirements for students in the Hixson-Lied College of Fine and Performing Arts.
- 9.3.5.10 review and recommend general and liberal education course offerings for students outside of the Hixson-Lied College of Fine and Performing Arts.
- 9.3.5.11 review and recommend all credit-granting programs with specific arts focus, that are proposed by affiliated units.

### 9.4 Academic Distinction and Awards Committee

#### 9.4.1 Membership

- 9.4.1.1 the Associate Dean, who serves as the non-voting Executive Secretary
- 9.4.1.2 one faculty member selected by the Faculty in the ~~Department of Art and Art History~~School of Art, Art History & Design
- 9.4.1.3 one faculty member selected by the Faculty in the Glenn Korff School of Music



- 9.4.1.4 one faculty member from selected by the Faculty in the Johnny Carson School of Theatre and Film
- 9.4.1.5 one representative from the four affiliated units (chosen by the Dean in consultation with the heads of the affiliate units)
- 9.4.1.6 one full-time undergraduate student majoring in a degree program in the College (selected by the Undergraduate Student Advisory Board)
- 9.4.1.7 one graduate student majoring in a degree program in the College (selected by the Graduate Student Advisory Board)
- 9.4.1.8 College Advising Coordinator (Ex Officio)

9.4.2 Rules of membership

- 9.4.2.1 The faculty members from the academic units shall be elected by the faculty in their respective academic units.
- 9.4.2.2 The term of office for faculty members shall be three years.
- 9.4.2.3 The term of office for student members is one year.
- 9.4.2.4 Faculty members shall be elected during the spring semester and terms shall begin with the opening of the fall semester.

9.4.3 Functions and responsibilities

- 9.4.3.1 Within general criteria set by the faculty, make decisions regarding the awarding of Distinction, High Distinction, or Highest Distinction, and present its recommendations to the Dean.
- 9.4.3.2 Select:
  - 9.4.3.2.1 students to be nominated by the College for special scholarships and fellowships.
  - 9.4.3.2.2 the recipients of College Distinguished Teaching Awards.
  - 9.4.3.2.3 nominees to be forwarded for campus-wide and university-wide Distinguished Teaching and Research Awards.
  - 9.4.3.2.4 nominees for honorary degrees and Master's Week honorees.
- 9.4.3.3 design and publicize its criteria and procedures for award nominations and selection.

9.5 Grading Appeals Committee

9.5.1 Membership

The Grading Appeals Committee shall consist of five voting members, three faculty and two students as follows:

9.5.1.1 the Associate Dean, who serves as the non-voting Executive Secretary

9.5.1.2 one faculty member and one alternate elected by the Faculty in the ~~Department of Art and Art History~~School of Art, Art History & Design

9.5.1.3 one faculty member and one alternate elected by the Faculty in the Glenn Korff School of Music

9.5.1.4 one faculty member and one alternate elected by the Faculty in the Johnny Carson School of Theatre and Film

9.5.1.5 one graduate teaching assistant student and one alternate majoring in a degree program in the College, selected by the Graduate Student Advisory Board

9.5.1.6 one full-time undergraduate student and one alternate majoring in a degree program in the College, selected by the Undergraduate Student Advisory Board

9.5.2 Rules of membership

9.5.2.1 Faculty members shall serve staggered three-year terms.

9.5.2.2 The committee chair must be a member of the faculty.

9.5.2.3 The committee chair is to be chosen by the committee at the last meeting of the preceding academic year.

9.5.2.4 The term of office for student members is one year.

9.5.3 Guests

9.5.3.1 The committee will routinely invite a liaison member of the Dean's office staff to be present during consideration of a case. He or she will not have a vote.

9.5.4 Functions and responsibilities

9.5.4.1 The function of the Grading Appeals Committee is as follows:

9.5.4.1.1 to serve as the College appeal committee beyond the ~~departmental school~~school grading appeals committees.

9.5.4.1.2 to stand as the final grading appeals committee in the College.

9.5.4.1.3 to create and maintain a set of rules, procedures, and standards for the judgment of cases.

- 9.5.4.1.4 to seek conciliation as well as judgment in considering the cases brought before it.
- 9.5.4.2 The Grading Appeals Committee's responsibility is to ensure due process in grading procedure. In the case of a disputed final course grade, the committee task is to attempt, through examination of evidence and consultation with both disputants, to protect students against arbitrary, capricious or prejudiced evaluation on the part of the instructor or others in the department, if such evaluation can be shown to have had an impact on the course grade.
- 9.5.4.3 The Grading Appeals Committee must accept an appeal only if it is satisfied that there is reason to suspect that the awarding of the grade may have involved a denial of due process through capricious or prejudiced action. Therefore, it shall not:
  - 9.5.4.3.1 undertake to resolve disputes about a student's knowledge of a particular subject matter. (Indeed, the obligatory removal of faculty from hearings involving their disciplines divests the committee of competence to judge learning accomplishment.)
  - 9.5.4.3.2 take a role in a case solely based on the ground that failure to change a grade will prevent graduation or cause the loss of financial assistance.
- 9.5.4.4 The Grading Appeals Committee will not consider appeals involving:
  - 9.5.4.4.1 violation of law,
  - 9.5.4.4.2 violation of University rules or regulations,
  - 9.5.4.4.3 disruptive or insubordinate behavior,
  - 9.5.4.4.4 cheating on examinations, or
  - 9.5.4.4.5 general complaints about the way the course was conducted.
- 9.5.4.5 For information about tribunals of recourse for complaints not addressed by the Grading Appeals Committee, the aggrieved party should contact Student Affairs or the Academic Senate Office.
- 9.5.5 Disqualification regulations
  - 9.5.5.1 In cases involving a member of one of the ~~departments~~schools represented on the committee:
    - 9.5.5.1.1 that ~~department~~school's representative must absent him/herself from the College committee's deliberations.
    - 9.5.5.1.2 disqualified committee members may nevertheless appear to provide evidence.

- 9.5.5.1.3 the Dean of the College will appoint a replacement for a disqualified faculty.
- 9.5.5.2 In cases involving a student member of the committee:
  - 9.5.5.2.1 such students must absent him/herself from the deliberations.
  - 9.5.5.2.2 a disqualified graduate student member will be replaced, for that case only, by action of the Graduate Student Advisory Board.
  - 9.5.5.2.3 a disqualified undergraduate student will be replaced, for that case only, by action of the Undergraduate Student Advisory Board.
- 9.5.6 Procedures for initiating appeals
  - 9.5.6.1 A student or faculty member wishing to appeal to the Grading Appeals Committee of the Hixson-Lied College of Fine and Performing Arts should:
    - 9.5.6.1.1 present to the Dean of the College or to any one of the faculty members on the committee a written statement of the grounds of his or her appeal.
    - 9.5.6.1.2 do so before the end of the semester following the semester in which the grade was assigned and at least two weeks in advance of the time a hearing is desired.
  - 9.5.6.2 The statement should provide the following data:
    - 9.5.6.2.1 an account of the facts surrounding the awarding of the grade
    - 9.5.6.2.2 evidence that the appellant has sought to resolve the case in consultation with the other party
    - 9.5.6.2.3 evidence that the appellant, failing to resolve the case in consultation with the other party, has attempted to resolve it within the confines of the ~~department~~school by recourse to the ~~departmental~~school's grading appeals committee
    - 9.5.6.2.4 evidence that the appellant has carried through the appeal with the greatest expedition possible under the circumstances
- 9.5.7 Reception of appeals by the committee
  - 9.5.7.1 Upon receiving the appellant's application, the Dean or committee chair will forward it to the committee as a whole.
  - 9.5.7.2 On receipt of an appeal, the College committee will request from the relevant ~~departmental~~/school agency all records of its deliberations, including documentary evidence gathered in the case.

9.5.7.3 Whether an appeal was brought by a student or a faculty member, the opposite party will be notified of the filing of the appeal and of his or her right to examine a copy of the appeal.

9.5.8 Disposition of appeals by the committee

After preliminary examination of a case, the committee may choose among the following courses of action:

9.5.8.1 It may decide the case without a hearing based upon the written submissions of the parties.

9.5.8.2 It may refer the case back to the instructor, the ~~department~~/school, or the student, with the proposal that a resolution lies within the power of the student and faculty member or the student and the ~~department~~/school.

9.5.8.3 It may accept the case unconditionally. If so, the committee shall:

9.5.8.3.1 if necessary, solicit from the faculty member, student and/or the ~~department~~/school committee written statements addressing any questions and issues that the committee believes to require further clarification. If clarification of departmental committee material is necessary, the committee must consult both parties to the dispute.

9.5.8.3.2 if necessary, supplement this information with interviews with the chair of the departmental committee or any of its members, with the parties to the dispute, and with anyone else whose testimony is relevant to the case.

9.5.8.3.3 grant a hearing before the committee at the request of either party.

9.5.8.3.4 consider the full body of evidence.

9.5.8.3.5 pronounce a decision based on the evidence.

9.5.9 Execution of decisions by the committee

9.5.9.1 A decision by the committee shall be rendered as soon as possible.

9.5.9.2 The decision shall be communicated in writing to both the student and the faculty member.

9.5.9.3 The letter to the party whose position was rejected by the committee shall provide reasons and justification for the decision.

9.5.9.4 An additional copy of this letter shall be sent to the Dean of the College for his/her record.

9.5.10 Right to re-appeal

9.5.10.1 Either students or faculty members may appeal an adverse ruling one time.

9.5.10.2 As the College committee is the final appeal committee, an appeal of one of its decisions would go back to the committee for reconsideration.

9.5.10.3 Such a petition to re-open the case must be done within 30 days of an adverse ruling.

9.5.10.4 Possible justifications for appeal (as determined by the committee) include:

9.5.10.4.1 submission of significant new evidence

9.5.10.4.2 new interpretation of evidence considered in the earlier appeal

9.5.10.5 A re-appeal statement should conform to the following conditions:

9.5.10.5.1 be as specific as possible in its information, supplying dates, places and times when memory provides them

9.5.10.5.2 supply whatever documentary evidence may be available

9.5.10.5.3 not include unsubstantiated charges

9.5.10.6 A re-appeal statement is to serve as a source of information for the Dean, members of the committee, and the other party concerned.

9.5.11 Procedures for grade change

9.5.11.1 Committee decisions that call for a change of grade shall be communicated in writing to the Dean of the Hixson-Lied College of Fine and Performing Arts.

9.5.11.2 It shall be the responsibility of the Dean to make the change of grade.

9.5.12 Scheduling of an appeals hearing

9.5.12.1 The Grading Appeals Committee shall normally only accept appeals that have been initiated in the semester following the awarding of the grade.

9.5.12.2 Unless there are special circumstances, the committee will not hear appeals during the summer.

9.6 Program Advisory Council

9.6.1 Membership

9.6.1.1 the Dean

9.6.1.2 the Associate Dean

9.6.1.3 the ~~Chair-Director~~ of the ~~Department of Art and Art History~~School of Art, Art History & Design

- 9.6.1.4 the Director of the Glenn Korff School of Music
- 9.6.1.5 the Director of the Johnny Carson School of Theatre and Film
- 9.6.1.6 the Director of the Center for Great Plains Studies or the Curator of the Great Plains Art Museum
- 9.6.1.7 the Director of the Lied Center for Performing Arts
- 9.6.1.8 the Director of the Sheldon Museum of Art
- 9.6.1.9 the Director of the Mary Riepma Ross Media Arts Center
- 9.6.1.10 additional members may be added on an as-needed basis to include representatives from other areas or sub-areas of the College.

9.6.2 Voting

The Program Advisory Council is a non-voting body.

9.6.3 Functions and responsibilities

- 9.5.3.1 to exchange information and opinions on subjects of interest to and pertinent to the welfare of the College, the affiliated units, and the Fine and Performing Arts.
- 9.5.3.2 to act as a forum for developing cooperative programming.
- 9.5.3.3 to coordinate responses from the arts units to requests for their involvement in special programs or activities.

9.7 Faculty Research Travel Committee

9.7.1 Membership

9.7.1.1 The Faculty Research Travel Committee will consist of the following:

- 9.7.1.1.1 the Associate Dean, who serves as the non-voting Executive Secretary
- 9.7.1.1.2 two faculty members elected by the faculty in the ~~Department of Art and Art History~~School of Art, Art History & Design
- 9.7.1.1.3 two faculty members elected by the faculty in the Glenn Korff School of Music
- 9.7.1.1.4 two faculty members elected by the faculty in the Johnny Carson School of Theatre and Film

9.7.1.2 Committee members will serve three-year staggered terms.

9.7.2 Functions and responsibilities

The function of the Faculty Research Travel Committee is to evaluate applications submitted by qualified faculty seeking support for off-campus research and creative activity, and to determine which applications merit funding.

9.8 Technology Committee

9.8.1 Membership

9.8.1.1 the Dean, who serves as the Committee Chair

9.8.1.2 the Associate Dean

9.8.1.3 one faculty member elected by the faculty in the ~~Department of Art and Art History~~School of Art, Art History & Design

9.8.1.4 one faculty member elected by the faculty in the Glenn Korff School of Music

9.8.1.5 one faculty member elected by the faculty in the Johnny Carson School of Theatre and Film

9.8.1.6 the College Coordinator of Technology

9.8.1.7 a representative from the campus IS division (in an advisory capacity)

9.8.1.8 one full-time undergraduate student from the College Undergraduate Student Advisory Board (endorsed ~~-by the Department~~School Chair/Director~~Director~~)

9.8.1.9 one graduate student from the College Graduate Student Advisory Board (endorsed by the ~~Department~~School Chair/Director~~Director~~)

9.8.2 Rules of Membership

9.8.2.1 faculty members shall serve for a three-year term, renewable once consecutively

9.8.2.2 student members shall serve for a one-year term, renewable once consecutively

9.8.2.3 ~~chairs/directors of departments/schools~~ are not eligible, but ~~vice chairs/vice-associate~~ directors may be elected

9.8.2.4 temporary vacancies shall be filled by the Dean, with the concurrence of the Executive Committee

9.8.2.5 other faculty vacancies shall be filled by election of the Faculty of the unit in which the vacancy has occurred



9.8.2.6 a faculty member elected or appointed to complete an unexpired term, who serves less than one-half the regular three-year extent of that term is eligible to serve for two subsequent three-year terms

9.8.2.7 faculty terms of service will be staggered

9.8.3 Guests from other units or Colleges may be invited to attend meetings of the Technology Committee.

9.8.4 Functions and responsibilities

The Committee's general responsibility is to serve as needed in an advisory role to the Dean and as liaison between the Dean's office and the College units on all matters pertaining to technology in the College. The committee's specific duties are to:

9.8.4.1 provide advice relative to curriculum in digital media courses and programs, as well as in those curricular matters that involve the use of technology to a significant degree

9.8.4.2 provide advice relative to grant proposals that are dependent on the use of technology

9.8.4.3 provide input into the development of position descriptions for faculty and staff whose primary responsibilities lie in the area of technology

9.8.4.4. make recommendations regarding the development of new and/or innovative technology-related curricula, programs and activities, as well as to encourage the improvement of technology-related curricula and programs already in place

9.8.4.5 provide advice relative to maintenance of the College website

9.8.4.6 make recommendations regarding programs for faculty and staff development

9.8.4.7 provide advice relative to technology-related collaborative opportunities between the College and other campus units

9.8.4.8 serve as a liaison on matters of technology to curriculum committees in each of the College's academic units

9.8.4.9 provide input into the long range planning process for sustaining technology support in the College

9.8.4.10 provide advice, as appropriate, to other campus units and personnel on matters of technology in the arts

9.9 Undergraduate Student Advisory Board

9.9.1 Membership

9.9.1.1 four undergraduate students from the ~~Department of Art and Art History~~School of Art, Art History & Design

9.9.1.2 four undergraduate students from the Glenn Korff School of Music

9.9.1.3 four undergraduate students from the Johnny Carson School of Theatre and Film

9.9.2 Rules of membership

9.9.2.1 Members must be full-time undergraduate students majoring in a College degree program.

9.9.2.2 Members are elected in accordance with the Association of Students at the University of Nebraska guidelines.

9.9.2.3 Members serve a two-year staggered term and are eligible for election to a second two-year term.

9.9.2.4 Terms begin in May.

9.9.3 Functions and responsibilities

9.9.3.1 advocate undergraduate educational quality of the College

9.9.3.2 establish and maintain a liaison of communication with undergraduate students in order to gain student opinions and concerns and to inform students of current College issues

9.9.3.3 provide opportunities for formal and informal contact for undergraduate students with the Dean and the College faculty

9.9.3.4 appoint undergraduate members to College standing committees

9.9.3.5 provide assistance to the Dean with selected College-wide programs as appropriate

9.10 Graduate Student Advisory Board

9.10.1 Membership

9.10.1.1 two graduate students from the ~~Department of Art and Art History~~School of Art, Art History & Design

9.10.1.2 two graduate students from the Glenn Korff School of Music (one must be a doctoral student)

9.10.1.3 two graduate students from the Johnny Carson School of Theatre and Film

9.10.2 Rules of membership

9.10.2.1 Members must be full-time graduate students majoring in a College degree program.

9.10.2.2 Members serve a two-year staggered term.

9.10.2.3 Members are appointed to the Board by the Dean, upon the recommendation of their respective unit head.

9.10.2.4 Terms begin at the start of the fall semester.

9.10.3 Functions and responsibilities

9.10.3.1 serve as a liaison between the Dean and the graduate student body in the College

9.10.3.2 represent the educational interests of the graduate student body in the College

9.10.3.3 provide opportunities for formal and informal contact for graduate students with the Dean and the College faculty

9.10.3.4 appoint graduate members to College standing committees

9.10.3.5 provide assistance to the Dean with selected graduate-level events in the College as appropriate

**10. ~~DEPARTMENTAL AND~~ SCHOOL ADMINISTRATIVE ORGANIZATION**

10.1 ~~Chairperson or~~ Director

10.1.1 The ~~chairperson of a department or~~ director of a school may have a smaller than customary teaching load or no teaching load at all depending on the size and the nature of his or her administrative unit.

10.1.2 Administrative duties of the ~~chairperson or~~ director are not rigidly prescribed, but responsibilities include:

10.1.2.1 budgetary matters.

10.1.2.2 personnel matters.

10.1.2.3 teaching schedules and workload assignments of the faculty.

10.1.2.4 recruitment of new faculty and staff.

10.1.2.5 the business affairs of the ~~department or~~ school.

10.1.2.6 recruitment and retention of students.

10.1.2.7 maintaining an awareness of the teaching and research activities of the unit's faculty members, and their service as advisers and committee members, both within and outside the university.

10.1.3 Terms of appointment

10.1.3.1 ~~Chairs and d~~Directors are recommended for appointment by the Dean to the Senior Vice Chancellor for Academic Affairs.

10.1.3.2 Unit faculty must be consulted by the Dean as a part of the appointment process.

10.1.3.3 ~~Chairpersons and d~~Directors are appointed for specific terms, normally three to five years.

10.1.3.4 ~~Chairpersons and d~~Directors are evaluated annually by the Dean, in accordance with University of Nebraska-Lincoln policy.

10.1.3.5 Near the end of the appointment period, a cumulative performance review of the ~~chairpersons and~~ directors will be conducted by the Dean, in accordance with guidelines set forth in the University of Nebraska-Lincoln policy relative to Review and Reappointment of Academic Administrative Officers.

10.1.3.6 The Dean also has the prerogative of reviewing the performance of ~~chairs and~~ directors at any time during their term of office.

10.2 Bylaws

10.2.1 ~~Departments and s~~Schools must adopt their own bylaws and procedures and in them attempt to denote, as specifically as possible, policies of the ~~department or~~ school concerning such issues as:

10.2.1.1 duties and responsibilities of its officers, faculty, and committees.

10.2.1.2 criteria for promotion and tenure.

10.2.1.3 conduct of ~~departmental-school~~ meetings.

10.2.2 Such bylaws must be in agreement with the Bylaws of the Board of Regents, the Bylaws of the University of Nebraska-Lincoln, and the Hixson-Lied College of Fine and Performing Arts Bylaws.

10.3 ~~Department~~ Graduate Committees

10.3.1 Each administrative unit (~~department, school, interdepartmental area~~) authorized to offer major work leading to the Master's or Doctor's degree shall have a Graduate Committee.

10.3.2 Graduate committees must conform to the following guidelines:

- 10.3.2.1 They shall consist of no fewer than three Graduate Faculty Members, one of whom is designated as the committee chairperson.
- 10.3.2.2 Graduate Committee members and the committee chairperson are appointed by the Office of Graduate Studies, based on recommendations by the administrative unit through ~~its department chairperson,~~the chairperson of the interdepartmental area, school director, or academic Dean, as appropriate.
- 10.3.2.3 Graduate Committees are responsible for the general supervision of graduate work in their administrative units.
- 10.3.2.4 The chairperson of the Graduate Committee has administrative duties, which may include the following responsibilities:
  - 10.3.2.4.1 approving applicants to graduate programs,
  - 10.3.2.4.2 coordinating graduate advising, and
  - 10.3.2.4.3 recruitment for graduate teaching assistantships.

10.4 Other administrative entities

10.4.1 Other ~~departmental or~~ school officers

- 10.4.1.1 The ~~chairperson or~~ director may recommend the appointment of an additional officer or officers to assist in the administration of the ~~department or~~ school, if necessary.
- 10.4.1.2 A chief adviser may be appointed to coordinate advising of undergraduate majors in the ~~department or~~ school. The prerogatives of such an advisor may include the portioning out of advising assignments.

10.4.2 Other committees

The ~~department or~~ school may establish other committees, standing or ad hoc, for the conduct of ~~department/~~school affairs.

10.4.2.1 Advisory or Executive Committee (especially recommended)

10.4.2.1.1 Role of an advisory or executive committee

- 10.4.2.1.1.1 to assist the ~~chairperson or~~ director in the performance of ~~department or~~ school business
- 10.4.2.1.1.2 to provide the ~~chairperson or~~ director consultation that represents the beliefs and preferences of the unit's faculty

10.4.2.1.2 Governance

- 10.4.2.1.2.1 The committee would normally be elected by a majority of the unit's faculty.
- 10.4.2.1.2.1 The committee meets at stated intervals.
- 10.4.2.1.2.1 The duties and responsibilities of the committee are articulated clearly in the bylaws of the academic unit.

#### 10.4.2.2 Additional committees

Additional committees may be elected by the ~~department or~~ school or appointed by the ~~chairperson or~~ director. Some typical ~~department/~~school standing committees, in addition to an advisory or executive committee, are:

10.4.2.2.1 Curriculum Committee

10.4.2.2.2 Grading Appeals Committee

10.4.2.2.3 Scholarship Committee

10.4.2.2.4 Library Committee

#### 10.4.3 Faculty meetings

10.4.3.1 A ~~department or~~ school shall have regular faculty meetings scheduled at the convenience of its members.

10.4.3.2 The term "faculty," in this context, includes all faculty who hold appointments of 0.5 FTE or greater.

10.4.3.3 Representation with voting rights from graduate and undergraduate students is permitted at the discretion of the ~~department or~~ school.

10.4.3.4 Matters to be considered at faculty meetings primarily consist of policies concerning the academic program and the general welfare of the ~~department or~~ school and the College.

10.4.3.5 A record of the agenda for each meeting should be kept, and minutes of meetings should be distributed.

#### 10.4.4 Actions required by the College of ~~departments and~~ schools

10.4.4.1 Provide the College a recommendation on reappointment for all tenure-leading faculty members and professors of practice

10.4.4.2 Provide the College recommendations for awarding tenure

In order to assure that the important process of consideration for tenure be carried out in a fair and equitable manner, each ~~department or~~ school is to have in place a systematic, well-defined procedure through which all faculty who are

untenured and/or who have not reached the full professor rank are evaluated and considered as candidates for promotion and/or tenure.

10.4.4.2.1 Publicize the particulars of this procedure to its faculty

10.4.4.2.2 State clearly to faculty members at the time they are under scrutiny for tenure the outcome of the application of these procedures to their cases as part of their annual review with the ~~chair or director~~director

10.4.4.3 Provide the College recommendations based on annual reviews of all tenured faculty

10.4.4.4 Set up an in-house procedure to consider student grading appeals

## 11. POLICY ON STUDENT CHEATING

11.1 Students are expected to be honest in all aspects of their academic work.

11.2 Academic judgments about a student's work (including questions of cheating) are the responsibility of the instructor. (Normally disagreements are resolved by means of a conference between the student and the instructor.)

11.3 When a student has been judged by the instructor to have cheated the student may be given a grade of an F on that assignment by the instructor and if the work in question is the final examination or some large proportion of the work for the course, the F may be given for the whole course.

11.4 If the student disputes the instructor's finding of academic dishonesty, the matter shall be referred to the UNL Judicial Officer as required by the UNL policy on Academic Dishonesty.

11.5 Appeal rights of the student

11.5.1 The instructor must inform a student of the right of appeal at the time the student is accused of cheating.

11.5.2 If a student feels he or she is treated unjustly, the student may take the case to his or her ~~department or~~ school's Grading Appeals Committee.

11.5.3 The student may appeal the ~~departmental~~school committee's decision to the College Grading Appeals Committee if he or she is not satisfied.

## 12. INTERDEPARTMENTAL CURRICULUM OPTION

The College permits the development of interdepartmental programs of study impossible within the purview of any one department, school or program or through a regular major or minor. Such programs would be interdisciplinary, interdepartmental inventions that draw upon the resources and strengths of the College's academic units and that are fashioned in combinations not regularly established.

12.1 Guidelines for development

12.1.1 Programs of study are to be initiated by groups of interested faculty, and presented as a formal proposal to the Dean

12.1.2 The Dean then appoints an ad hoc planning committee to work out the particulars of a proposal

12.1.3 The proposal must gain approval of the following authorities in the order in which they are listed:

12.1.3.1 ~~chairs of all departments~~/directors of all schools involved in the proposal

12.1.3.2 the Dean

12.1.3.3 the College Executive Committee

12.1.3.4 the College Curriculum Committee

12.1.3.5 the College Faculty at an open meeting

12.2 Guidelines for program supervision and review

12.2.1 The planning committee is to be appointed as an area study committee, which has responsibility for the following:

12.2.1.1 reviewing the program requirements periodically

12.2.1.2 advising students in the program

12.2.1.3 assisting with scheduling

12.2.1.4 preparing and reviewing material contained in the university catalogue

### 13. RELATIONSHIP OF THE COLLEGE TO THE GRADUATE COLLEGE

There is an over-arching Graduate College for the entire University of Nebraska. It encompasses graduate studies and research and creative activity in every academic unit of the university and adjudicates graduate issues of system-wide significance. Within the University of Nebraska-Lincoln, in parallel with the University Graduate College, the UNL Graduate College presides over all UNL graduate activities. Both have a Dean and a deliberative and executive faculty body. Both of these bodies bear the name Graduate



Council. The greater, system-wide council is the Executive Graduate Council. The lesser of the two is the Graduate Council of the University of Nebraska-Lincoln which, acting as the agent of the graduate faculty on the Lincoln campuses, governs the graduate components of the various academic units of those campuses. The various graduate programs of the Hixson-Lied College of Fine and Performing Arts are subject to the regulations of the UNL Graduate College as articulated by the UNL Graduate Dean and the UNL Graduate Council.

- 13.1 In planning its graduate program each ~~department and~~ school in the Hixson-Lied College of Fine and Performing Arts is obliged to operate within the regulations of the Graduate College.
  
- 13.2 Graduate curriculum proposals
  - 13.2.1 Courses of the College carrying graduate credit must have the approval of the UNL Graduate Council.
  - 13.2.2 College ~~departments and~~ schools must address directly the UNL Graduate Council for acceptance of new graduate courses and changes in graduate courses.
  - 13.2.3 College ~~departments and~~ schools must notify the College Curriculum Committee of their proposals involving graduate courses.
  - 13.2.4 When graduate courses are approved by the UNL Graduate Council, notification is forwarded to the Executive Graduate Council.
  
- 13.3 UNL Policy for appointing Graduate Faculty (Effective June 9, 2003)
  - 13.3.1 The “Graduate Member” and “Graduate Fellow” designations are replaced by one designation: “Graduate Faculty.” Graduate Faculty possess all of the potential roles and responsibilities previously associated with Graduate Fellow.
  - 13.3.2 Every current Graduate Member and Graduate Fellow is automatically granted Graduate Faculty status. This includes all current Members and Fellows, regardless of academic rank or appointment.
  - 13.3.3 Every current and future tenure-line faculty member is automatically granted Graduate Faculty status. No application or review process of any kind is required. In the case of future hires, it is assumed that the department faculty are making a conscious decision to grant Graduate Faculty status simultaneous with the hiring decision.
  - 13.3.4 The faculty member must be in a tenured or tenure-leading position, possess a terminal degree and hold a primary appointment in a department that houses a graduate major.
  - 13.3.5 Faculty members who are hired “ABD” will not be granted Graduate Faculty status until the terminal degree has been awarded. When the terminal degree has been completed, the faculty member is automatically granted Graduate Faculty status without an application or review process.

- 13.3.6 Non-tenure-line faculty (any full- or part-time appointment that does not hold the potential for tenure) who are not automatically granted Graduate Faculty status in 13.3.2 above must apply for Graduate Faculty status.
- 13.3.7 Masters degree committees are now composed of at least three Graduate Faculty; doctoral committees are now composed of at least four Graduate Faculty. The Office of Graduate Studies will keep an official list of the Graduate Faculty.

## **14. POLICIES ON HANDLING BYLAWS**

- 14.1 The Dean shall ensure that each member of the faculty receives a copy of the College Bylaws as well as copies of subsequent changes adopted by the membership.
- 14.2 Passage of a motion to change the Bylaws requires a favorable vote by two-thirds of the members of the College faculty voting.

## ***THE INDIVIDUAL FACULTY MEMBER***

### **15. RIGHTS AND RESPONSIBILITIES**

#### 15.1 Obligations

Faculty members have at least three obligations to the College and University.

##### 15.1.1 Obligation to the faculty/student relationship within and outside of the classroom

Faculty members must:

15.1.1.1 competently present the material of their disciplines.

15.1.1.2 be available to their students for additional direction and counsel.

15.1.1.3 adhere to the pedagogical responsibilities of a faculty member as stated in the Bylaws of the Board of Regents, Chapter IV, 4.1.

15.1.1.4 be informed of and comply with all policies and practices concerning student records as stated in the Student Records Policy in the University of Nebraska-Lincoln Bulletin.

##### 15.1.2 Obligation to maintain professional competence by:

15.1.2.1 maintaining command of developments in their fields.

15.1.2.2 developing their capacities for research or creative activity in which they are professionally trained.

15.1.2.3 pursuing that research or creative discipline.

##### 15.1.3 Obligation to render administrative service usually through participation as follows:

15.1.3.1 on committees at ~~school~~departmental, college and university levels.

15.1.3.2 in the Academic Senate.

15.1.3.3 development of new programs

15.1.3.4 professional or scholarly service outside the university, etc.

#### 15.2 Mentors for new faculty

15.2.1 Each faculty member on joining the College shall be assigned a mentor.

15.2.2 The mission of the mentor is to help new faculty adapt to the campus setting by serving as a resource in matters concerning the Research Council and teaching grants, reappointment files, campus traditions, and university policies and politics.

15.2.3 Appointments

15.2.3.1 Mentors shall be appointed by the Dean in consultation with the ~~chairs-directors~~ of the new faculty members.

15.2.3.2 Mentors shall be chosen from the College.

15.2.3.3 Mentor appointments normally shall be for one year, but longer terms are possible.

15.2.4 Meetings

15.2.4.1 The Dean shall arrange one occasion in the fall term for mentors and new faculty to come together.

15.2.4.2 Otherwise, meetings are at the discretion of the newcomer and mentor.

15.3 Procedures in advising

15.3.1 Advisers are assigned by ~~department or~~ school coordinators.

15.3.2 Advisers generally have two responsibilities:

15.3.2.1 Counseling during the early registration period during which the faculty member seeks to help students identify courses that best correspond to their individual interests and satisfy requirements in their major and other fields.

15.3.2.2 A more general advising role in which the faculty member discusses with the student his or her academic interests, talents, and personal goals.

## 16. FACULTY EVALUATION

16.1 Evaluation Entities and General Procedures

16.1.1 Criteria, policies, and practices with regard to promotion and tenure differ among ~~departments and~~ schools in the College. It is the responsibility of the ~~departments and~~ school to develop specific criteria applicable to the faculty within that unit, and to disseminate those criteria to all faculty in that unit when they are hired or when any changes are made in the criteria. The following outlines the procedures common to all units within the College.

16.1.2 At the ~~department/school/school~~ level, the staffing evaluations of different classifications of faculty are made by the following entities.

- 16.1.2.1 Staffing decisions concerning non-tenure-leading faculty are made by the ~~chairs and~~ directors. This authority pertains to routine temporary and part-time appointments but not necessarily to special appointments such as those of visiting experts.
  - 16.1.2.2 Recommendations regarding reappointment and/or promotion of tenure-leading faculty and professors of practice are made by the faculty of the reviewed person's ~~department or school~~ school, who rank higher than the faculty member under review.
  - 16.1.2.3 Recommendations regarding tenure are voted on only by tenured faculty members in a ~~department or school~~ school.
- 16.1.3 For reappointment decisions of tenure-leading faculty, the following represents the reporting and recommendation process.
- 16.1.3.1 Eligible voting faculty make a recommendation to the ~~chairperson or~~ director.
  - 16.1.3.2 The ~~chairperson or~~ director makes an independent assessment and recommendation to the Dean.
  - 16.1.3.3 The Dean, upon review of the recommendations in 16.1.2.1 and 16.1.2.2 (above) makes the decision on reappointment.
- 16.1.4 For tenure and/or promotion decisions of tenure leading faculty and for promotion decisions of professors of practice, the following represents the reporting and recommendation process.
- 16.1.4.1 Eligible voting faculty review the materials, make a recommendation, and forward the file to the ~~chairperson or~~ director.
  - 16.1.4.2 The ~~chairperson or~~ director makes an independent assessment and recommendation.
  - 16.1.4.3 The faculty recommendation, the ~~chairperson/~~director recommendation, and the file are forwarded to the Dean and the College Executive Committee.
  - 16.1.4.4 The College Executive Committee reviews the file and makes a recommendation to the Dean.
  - 16.1.4.5 The Dean makes an independent assessment and recommendation.
  - 16.1.4.6 The faculty member's file, including the recommendation from the eligible voting faculty, the ~~chairperson/~~director, the College Executive Committee, and the Dean, is forwarded to the Senior Vice Chancellor of Academic Affairs (SVCAA).
  - 16.1.4.7 The SVCAA makes a recommendation to the Chancellor.
- 16.1.5 At every step in the process, the faculty member must be given copies of all recommendations. The candidate may request reasons for adverse recommendations or request reconsideration of the decision by the group or individual not recommending promotion or tenure. Results of such requests should be provided to the candidate in writing. No negative recommendation shall be forwarded until the reconsideration is complete. The department or college shall establish time lines for the candidate to request either a statement of reasons or reconsideration of a decision. If the candidate requests a statement of reasons or requests reconsideration of a decision within these

time lines, such request shall be granted as expeditiously as possible. Departments and colleges must schedule the review process so that any reconsideration shall be completed in time to meet established submission deadlines to the next level of consideration. The purpose of the statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument.

## 16.2 Guidelines Concerning the Clarity of Recommendations and the Recording of Votes and Recommendations

### 16.2.1 Clarity of recommendations

Because some reviewers of the material are unlikely to be closely acquainted with the disciplines of the individuals being considered or the particular expertise of the person whose promotion or tenure is being proposed (reviewers such as the College Executive Committee, the Senior Vice Chancellor for Academic Affairs, and the Chancellor), the ~~department or school~~school must take great care to:

16.2.1.1 accompany all recommendations for promotion and/or tenure with documentary support materials that are presented in a clear and readily understood format.

16.2.1.2 be explicit about the factors upon which recommendations are based.

### 16.2.2 Vote information

Recommendations submitted to the Dean and the College Executive Committee must include:

16.2.2.1 the vote count of the eligible voting members of the ~~department or school~~school, recording all positive votes, negative votes, and/or abstentions.

16.2.2.2 an indication of the reasons for negative as well as positive votes, if there is a significant number of negative votes.

### 16.2.3 Minority opinion

Members of the voting faculty body who differ from the majority may submit in writing to the Dean and the College Executive Committee the reasons for their dissent, provided a copy is given to the individual being considered for his/her response.

## 16.3 Criteria For Evaluation

### 16.3.1 Introduction

Over the course of their career, faculty will be evaluated for the purposes of annual reappointment, annual performance evaluations, promotion in rank, the granting of tenure, and post-tenure review. The process of evaluation will consider each of the following three areas: teaching, research/creative activity, and service (including community outreach and administration), with consideration given to the specific apportionment of duties.

Assessment is made first at the department level and is determined both as appropriate to the discipline, and appropriate to this point in the faculty member's career. Specific criteria for evaluating faculty performance are determined by the faculty in the individual departments. However, all assessment at the University is part of a process of review at several levels with built

in checks and balances, and assessments or recommendations, made at all levels -- from the faculty body or promotion and tenure committee, to the ~~chair or director~~director, to the College Executive Committee, to the Dean, to the Senior Vice-Chancellor for Academic Affairs, and to the Chancellor. The purpose of the review at the college level (and the vice-chancellor level) is especially to insure that proper standards are being applied.

The foundational documents for evaluation procedures of faculty are the Bylaws of the Board of Regents, in particular Chapter IV: Rights and Responsibilities of Professional Staff ([http://www.nebraska.edu/board/board\\_bylaws\\_full.html](http://www.nebraska.edu/board/board_bylaws_full.html)) and UNL's Guidelines for the Evaluation of Faculty (<http://www.unl.edu/svcaa/hr/tenure/tenureguide.html>).

### 16.3.2 Terminology

The following terms are to be used for all stages of the review process. This is not a grading system in the standard sense, since College expectations are high and since the faculty hiring process itself is extremely selective. It is assumed that the College will attract and keep only meritorious, hard-working faculty members, and that new hires will maintain or raise the over-all standards of teaching, research/creative activity, and service of the individual units.

It is important to note that these terms are to be applied to the evaluation procedure for the faculty member as appropriate at that point in his or her academic career, and based on apportionment of duties.

#### 16.3.2.1 Exceptional Performance

Denotes exceptionally high performance or recognition, in one or more areas, at or near the top of his or her field nationally or internationally, that likely would not be duplicated every year.

#### 16.3.2.2 Exceeds Expectations

Denotes superior performance or recognition, in one or more areas, exceeding the high expectations of the department and the college that likely could be repeated in successive years.

#### 16.3.2.3 Meets Expectations

Denotes performance, in all areas, at a level of excellence demonstrating that a faculty member is living up to the promise shown at the time he or she was hired. Thus, "meets expectations" tends to be the normal, typical, most frequent description of faculty performance.

#### 16.3.2.4 Needs Improvement

Denotes performance, in one or more areas, that is questionable and is not consistently meeting the high standards of the college.

#### 16.3.2.5 Unacceptable

Denotes poor performance or neglect, in one or more areas.

### 16.3.3 Scope of evaluation

It is assumed that faculty will document yearly activity in the areas of teaching, research/creative achievement and service. Some projects take more than a calendar year to complete. In fact, it is expected that post-tenure faculty may engage in more adventurous and expansive projects that may take several years to bear fruit. The annual evaluation, therefore, must look not only at the specific tangible achievements for that calendar year but consider progress on larger projects and the faculty member's articulated plan for on-going and anticipated future activity in all areas in which duties have been apportioned. Evaluations for promotion and tenure will consider the entire academic career of the candidate to that point.

#### 16.3.4 Criteria for tenure and for promotion to specific ranks

##### 16.3.4.1 Tenure

The College expects faculty members to be productive over their entire careers in the three important areas of teaching, research/creative activity, and service. The College sees the interdependence of these three as fundamental and expects achievement in these three areas to carry national or international significance, as appropriate. A recommendation for tenure should be made only if the faculty member's attainment is not only significant but also has been sustained over a long enough period of time to indicate the likelihood of continuation after an award of tenure.

In order to attain tenure, faculty performance in the areas of teaching, research/creative activity and service must meet the requirements of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. However, achievement in all areas must at least meet expectations at the time of tenure. (see 16.3.2.3)

In all but unusual circumstances, promotion of tenure eligible faculty to the rank of associate professor takes place at the same time as or before the tenure decision. However, since the decision regarding tenure is based upon broader criteria, the two actions take place separately and require separate decisions. While it is assumed that a faculty member who has earned tenure should also have earned promotion to associate professor, promotion in rank carries no guarantee regarding the granting of tenure.

##### 16.3.4.2 Promotion to specific ranks for tenure-leading faculty

In order to attain promotion, faculty performance in the areas of teaching, research/creative activity and service must meet the expectations of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. In respect to the terminology for evaluation, at the time of promotion to associate or full professor, achievement in all areas must, at the very least, "meet expectations."

###### 16.3.4.2.1 Assistant Professor

Appointment to the rank of assistant professor signifies that a faculty member is well qualified to launch upon a full-fledged academic career. Qualifications include completion of a terminal degree or equivalent experience in the practice of the discipline. Unless the letter of appointment



designates one as holding a Special Appointment pursuant to Regents Bylaws 4.4.1, assistant professors will be on both promotion and tenure tracks. In the period between appointment as an assistant professor and promotion to associate professor, terms expressed in the letter of offer, in the position description, and in the annual evaluations provide guidance regarding professional development to the faculty member and to peers and administrators charged with judging progress toward promotion.

#### 16.3.4.2.2 Associate Professor

To attain the rank of associate professor, the candidate should be an accomplished teacher, where teaching is an assigned responsibility, have a significant record of scholarly/creative work in keeping with the individual's job responsibilities, and have a significant record of service. Time-in-rank as an assistant professor is ordinarily at least five years, and typically is six years. Earlier promotion is quite unusual and implies that a candidate has accomplished in the shorter time period what normally would be expected in the longer one.

In all but unusual circumstances, promotion of tenure eligible faculty to the rank of associate professor takes place at the same time as or before the tenure decision. However, since the decision regarding tenure is based upon broader criteria (particularly involving the probability of continued achievement and the attainment of national or international recognition), the two actions take place separately and require separate decisions. While it is assumed that a faculty member who has earned tenure should also have earned promotion to associate professor, promotion in rank carries no guarantee regarding granting of tenure.

Although it is the objective of the University to have all faculty sufficiently qualified to eventually gain promotion to professor, no time limitations compel faculty to seek the highest academic rank in the University. Associate professors with tenure may stay in that rank for the duration of their careers.

#### 16.3.4.2.3 Professor

The rank of professor is the highest academic rank in the University. The rank of professor is reserved for those faculty members whose achievements in research/creative activity (including pedagogy) are sufficient to merit recognition as distinguished authorities in their field and who hold the professional respect of their colleagues in their discipline. Usually, the candidates have been awarded tenure. Although it is the objective of the University to have all faculty sufficiently qualified to eventually gain promotion to professor, no time limitations compel faculty to seek the highest academic rank in the University. Associate professors with tenure may stay in that rank for the duration of their careers. Ordinarily, it is highly unusual for faculty to move from associate professor to professor in less than seven years.

To attain the rank of professor, most phases of the candidate's work must evince a level of sustained accomplishment. Such accomplishment is of the sort that would merit national recognition in appropriate arenas. That does

not mean that the subject of the work must be of national character or scope. The subject may well be regional or local, but the importance of the work should be sufficient to merit significant recognition.

Peers and administrators evaluating a candidate for professor should review documentation of the entire academic career to date. That record will include outside evaluations. The record of a successful candidate for professor must show evidence of sustained excellence over an extended period of time. A recommendation for promotion should be made only if the faculty member's attainment is not only of sufficient significance, but also indicates the likelihood of continuation after promotion to this rank.

#### 16.3.4.3 Promotion to specific ranks for professors of practice

In order to attain promotion, faculty performance in the areas of teaching and service must meet the expectations of the department and the college, and must be at a level that is commensurate with the ideals of the university. Specific criteria for describing faculty performance that meets these goals are determined by the faculty in the individual departments. In respect to the terminology for evaluation, at the time of promotion to associate or full professor of practice, achievement in both areas must, at the very least, "meet expectations."

##### 16.3.4.3.1 Assistant Professor of Practice

Appointment to the rank of assistant professor of practice signifies that a faculty member holds the appropriate terminal degree and has demonstrated success in academic or professional instruction.

##### 16.3.4.3.2 Associate Professor of Practice

To attain the rank of associate professor of practice, the candidate must hold the appropriate terminal degree, achieved success in academic or professional instruction, and contributed to advancing learning in the field. The candidate must have demonstrated excellence in academic or professional instruction, evidenced e.g. by student evaluations, portfolio, peer review, and student learning outcomes. The candidate must provide evidence of leadership in instructional activity that has had significant impact on the department, college, or University.

##### 16.3.4.3.3 Professor of Practice

The rank of professor of practice is reserved for those faculty members who meet a very high performance standard. In addition to the requirements for associate professor of practice, the minimum expectation is for national visibility for the candidate's instructional activities and/or practice, achievable through, e.g. leadership in professional organizations, instructional methods and/or materials disseminated nationally, and grant funding for instructional activities/innovation.

Peers and administrators evaluating a candidate for professor of practice should review documentation of the entire academic career to date. That record will include outside evaluations.

### 16.3.5 Criteria for triggering post-tenure review

If a tenured faculty member receives an “unacceptable” evaluation for two consecutive years in the category of teaching or the category of research/creative activity, the unit administrator will initiate the post-tenure review process.

## 16.4 Record Keeping For Faculty Activities and Achievements

16.4.1 Records concerning each faculty member are maintained in files kept by the individual faculty member, the faculty member's ~~department or school~~school, and the College.

16.4.2 Faculty inform their ~~chairpersons or~~ directors of their activities and achievements in the form of materials that will become the basis for the annual evaluation related to merit salary adjustments, and also for evaluations concerned with reappointment and progress toward tenure, promotion, the awarding of Continuous Appointment, post-tenure review, and honors and awards for which the faculty member may be nominated.

16.4.3 Information about individual faculty activities and achievements is conveyed in three bodies of documentation that the faculty member provides. They are:

### 16.4.3.1 The Cumulative Faculty Record

16.4.3.1.1 This record is initiated by the faculty member upon commencing employment at the university in order to provide a continuous record of the faculty member's activities, accomplishments, and honors.

16.4.3.1.2 This record is updated and submitted yearly as part of the annual review of faculty for determining merit salary adjustments.

16.4.3.1.3 The Cumulative Faculty Record and its updates are kept on file by the College in the Dean's Office. Copies are also to be kept on file by the ~~department or~~ school in the ~~chair or director~~director's office, and by the individual faculty member.

### 16.4.3.2 The annual faculty evaluation file

16.4.3.2.1 This file, maintained by the individual faculty member, is submitted yearly as part of the annual review of faculty for determining merit salary adjustments, and contains, in addition to a copy of the Cumulative Faculty Record, additional materials deemed relevant by the individual academic unit to its faculty member's remuneration and status.

### 16.4.3.3 The faculty career achievement file

16.4.3.3.1 The materials assembled in the annual evaluation file, including all student evaluations, shall be preserved by the faculty member and shall cumulatively form the core of the faculty career achievement file, which is the documentation provided by the faculty member for evaluations concerning reappointment, progress toward tenure, promotion, awarding Continuous

Appointment, post-tenure review, and honors and awards for which the faculty member may be nominated.

16.4.3.3.2 Faculty members shall have access to all material submitted for their evaluation (except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member) and the opportunity to respond in writing.

16.4.3.4 The college file and the ~~departmental or~~ school file

16.4.3.4.1 The College file

16.4.3.4.1.1 The College shall maintain a file on each faculty member consisting of the yearly Cumulative Faculty Record and any additional relevant materials.

16.4.3.4.1.2 Faculty members have a right to see and respond to the contents of their College file, except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member.

16.4.3.4.2 The ~~departmental or~~ school file

16.4.3.4.2.1 The ~~department or school~~school shall maintain a file or files on each faculty member consisting of the initial letters of offer and acceptance, memoranda of reappointment, promotion, tenure, copies of the yearly Cumulative Faculty Record and Performance Evaluation Summary, the Personnel Action Form and Personal Data Form, similar personnel documents, and any additional relevant materials.

16.4.3.4.2.2 Faculty members have a right to see and respond to the contents of their ~~department or school~~school file(s), except for confidential letters of evaluation when the right to review has been specifically waived by the faculty member.

16.4.3.4.3 Faculty members may petition their ~~chair, director,~~ or dean to have material removed from their ~~departmental or~~ school or college file.

## 16.5 Reappointment, Promotion and Tenure Files

16.5.1 Faculty members are required to create a record of accomplishment for the purposes of reappointment, tenure and promotion.

16.5.2 Reappointment files are prepared annually by probationary faculty and in the penultimate term year by professors of practice. They are primarily constituted from the materials that document achievement in the areas of teaching, research/creative activity, service, and outreach. The files are cumulative and must contain the appropriate documentation and executive reviews from all years leading to tenure and promotion decisions. The reappointment process is separate from that of tenure and promotion; however, untenured faculty members and professors of practice should be advised of the University's tenure and promotion documentation requirements when assembling their materials for reappointment each year.

16.5.3 Candidates for tenure and promotion must provide materials in accordance with the Documentation Request form that emanates from the office of the Senior Vice-Chancellor. Although the request includes items within the following general categories, candidates must refer to the current Documentation Request form for the specific requirements and to specific guidelines described in their respective ~~departmental~~ school governance documents.

16.5.3.1 Professional summary and employment history.

16.5.3.2 Evidence of and analysis of the quality and significance of quality and effectiveness of teaching.

16.5.3.3 Evidence of and analysis of the quality and significance of scholarly, professional, and creative activity, including awards, prizes and other noteworthy recognition. (Tenure-leading faculty only.)

16.5.3.4 Evidence of and analysis of the quality and significance of professional and institutional service, outreach activities, and related recognitions.

#### 16.6 Rights of Access and Contribution To Materials Used In Personnel Evaluations

16.6.1 Anyone (including the candidate) with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material.

16.6.2 The rights of access and written response are guaranteed by Sections 2.9.8 of the UNL Bylaws and 4.6 of the Bylaws of the University of Nebraska Board of Regents, which states that "Faculty members shall have access to all material submitted for their evaluation and the opportunity to respond in writing." The exception is material from external peer reviewers for which the faculty member has waived review rights.

16.6.3 Faculty members being evaluated shall have the right of access to all material used to assist in any evaluations of their professional performance, with certain exceptions as noted below.

16.6.3.1 Consequently, all evaluation material must be made available for the inspection of the person being evaluated.

16.6.3.2 The right of access shall embrace not only factual documentation but also interpretive commentary, solicited or unsolicited, coming from any source, unless the faculty member has waived access (see 16.6.12 below).

16.6.3.3 The primary repository of evaluation material and therefore the most notable body of data to which the access right applies is the faculty member's evaluation file. This file is compiled by ~~departments and~~ schools to assist the various evaluating bodies to form annual performance evaluations and recommendations as to promotion, tenure, reappointment, non-reappointment, termination, or merit salary increase.

16.6.3.4 The faculty member under evaluation shall be notified of the identities of contributors of commentary, with certain exceptions as noted below.

- 16.6.4 The person being evaluated must be notified of the identities of persons or groups to whom material used in evaluation is made available.
- 16.6.5 If separate evaluative commentary is solicited or received from individuals not through a "regular, normal process," the interpretations of this document do apply.
- 16.6.6 Anonymity
  - 16.6.6.1 Anonymous contributions shall neither be solicited nor consulted in any evaluation or review.
  - 16.6.6.2 The general prohibition against anonymity in evaluation materials shall not apply to evaluatory compilations that, though possibly including individual statements that are anonymous, emerge from groups known as a whole to the person being evaluated. Such groups include the following two instances:
    - 16.6.6.2.1 student evaluations of faculty teaching performance, when they are collected through a regular, normal process either required or facilitated by a unit of UNL; and
    - 16.6.6.2.2 evaluation of administrative performance, when the materials are collected through a regular, normal process, particularly in meeting the requirements of the UNL Bylaws, Section 2.3.2.1.
- 16.6.7 Rights to append written responses
  - 16.6.7.1 Opportunity must be provided to allow the person under review to attach written responses to evaluative material not exempted by waiver.
  - 16.6.7.2 Access to material must be granted for an interval of time reasonably sufficient to allow for the composition of written responses, before the file becomes available to persons or groups charged to evaluate and/or recommend.
- 16.6.8 These rules are not intended to limit oral discussion in a meeting of a group charged to conduct a review and produce a recommendation, provided that:
  - 16.6.8.1 the discussion is based preponderantly upon materials already accumulated in the file.
  - 16.6.8.2 new material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond.
- 16.6.9 It is the responsibility of the individual conducting the meeting to:
  - 16.6.9.1 make necessary judgments concerning the substantives of new material.
  - 16.6.9.2 divulge to the person being evaluated any new material offered to the evaluating group.
  - 16.6.9.3 make sure that the person under scrutiny has opportunity to respond to new material, if necessary, by delaying the vote or decision.
- 16.6.10 A synopsis of discussion at such a meeting is given to the person being evaluated.

16.6.11 These rules are not intended to restrict the right of any evaluating group to vote its recommendation by secret ballot.

16.6.12 Waiver options

16.6.12.1 A person under evaluation may waive any or all rights of access to:

16.6.12.1.1 any information or materials accumulated for a review file.

16.6.12.1.2 any portions of said information or materials.

16.6.12.1.3 knowledge of the identity of any or all informants.

For example, a person under evaluation may:

16.6.12.1.3.1 waive the right to inspect written comments solicited from outside peer reviewers.

16.6.12.1.3.2 claim the right to inspect the reviews but waive the right to know the identity of the reviewers.

16.6.12.1.3.3 waive the right to know the identity of student evaluators.

16.6.12.2 Waivers shall be:

16.6.12.2.1 attached to the file.

16.6.12.2.2 written specifically, clearly indicating what portion of a document is included in the waiver.

16.6.12.2.3 executed prior to the solicitation or accumulation of material.

16.6.12.2.4 submitted voluntarily.

16.6.12.3 It is forbidden to coerce staff members into executing waivers, either directly or indirectly. Waivers must not be required, neither by request of the person or persons conducting the review nor by the establishment of unit policies or procedures that require or assume the granting of waivers.

16.6.13 Notification to contributors of rights of access

16.6.13.1 Individuals invited or required to contribute to an evaluation file must be notified, prior to handing over their material, of the rights of access and inspection and/or of any waivers of those rights that have been executed.

16.6.13.2 This right to be notified shall be granted all persons contributing material -- students, colleagues, supervisors, and committees within the university as well as peer reviewers solicited from the university.

16.6.14 Exceptions to the rule of rights of access

- 16.6.14.1 These regulations and the relevant Bylaws sections shall not apply in the case of a current university staff member becoming a candidate for another position within the university. The rights of access to materials accumulated in behalf of candidacy shall be the same for all a position's candidates and shall be rendered neither more nor less restrictive for university employees than for external candidates.
- 16.6.14.2 Pledges of confidentiality granted by the university and duly constituted university officials prior to these interpretations of Bylaw provisions shall not be rescinded even if they violate the current interpretations. (Retroactive application of interpretations of Bylaw text would surely compel the university to violate pledges of confidentiality made in good faith. Undoubtedly, university records contain material the collection of which was accompanied by promises of confidentiality sanctioned by Bylaw interpretations previous to those of this document. The old pledges should be honored; recommendations derived according to past procedures should not be rescinded; no effort should be made to "purge" files retroactively.)
- 16.6.15 Resolutions of disputes about staffing recommendations shall be adjudicated individually by the appropriate supervisor, each on its own merits.
- 16.6.16 The provisions of Section 2.9.4 of the UNL Bylaws shall not diminish the availability of material to persons or groups legitimately charged with the responsibility to review files and to participate in consultation leading to recommendations for personnel actions.

## 16.7 Assessment of Teaching

The faculty believe that a variety of techniques and materials are important in the appraisal of teaching effectiveness.

### 16.7.1 Student evaluations

- 16.7.1.1 Evaluations by students shall be administered in every course of a faculty member's regular teaching load, every semester, except as indicated in 16.7.1.2. These will be used to assess the quality of the courses including the quality of a faculty member's teaching.
- 16.7.1.2 Evaluations of courses that do not contribute to the faculty member's teaching load credit are not required, for example, dissertation hours, continuing education courses, individual research, or individual reading courses.
- 16.7.1.3 While graduate students are to have the opportunity to evaluate their formal courses, each unit is allowed to modify evaluation mechanisms to take into account differences between undergraduate and graduate instructional procedures.
- 16.7.1.4 Each ~~department or school~~ school shall be free to devise whatever evaluation form it deems appropriate, provided that the form includes questions calling for response to the following topics:

16.7.1.4.1 The instructor's handling of the class, for example:

16.7.1.4.1.1 Were the course requirements made clear?



- 16.7.1.4.1.2 Was the instructor in the class during the scheduled class times?
- 16.7.1.4.1.3 Was there an opportunity (keeping in mind class size) for questions?
- 16.7.1.4.1.4 Were the examinations related to topics covered in the classroom, laboratory, or studio, and in reading assignments?
- 16.7.1.4.1.5 Were exams, projects, and papers returned in a reasonable time?
- 16.7.1.4.2 The instructor's skill in communication, for example:
  - 16.7.1.4.2.1 If the class was primarily lecture, were the lectures clear and well-organized?
  - 16.7.1.4.2.2 If the class was primarily discussion, were the discussions focused and well-guided?
  - 16.7.1.4.2.3 Was the instructor enthusiastic about the subject?
  - 16.7.1.4.2.4 Was the instructor helpful in clarifying problems or difficult points?
  - 16.7.1.4.2.5 Were answers to questions to the point and understandable?
  - 16.7.1.4.2.6 Was the use of instructional equipment appropriate for the subject matter?
- 16.7.1.4.3 the student's perception of the extent of the learning experience
- 16.7.1.4.4 the degree to which the student feels interest and thinking have been stimulated
- 16.7.1.4.5 In December, 1993, the UNL Academic Senate passed the following resolution: "In departments where the Teaching & Learning Center evaluation form is not used, the Senate calls for each department to use a summative form that requests the student to indicate if the faculty member has treated students with fairness and respect or has discriminated against a group of students on irrelevant grounds, particularly groups that have traditionally been subject to discrimination and are listed in the Regents Bylaws, section 4.1.b., or in the Professional Ethics Statement adopted by the Academic Senate (adopted April 17, 1990). Language that addresses this resolution must be included in all ~~department/school~~school student evaluations surveys.
- 16.7.1.5 Procedure for administering pencil-and-paper student evaluations
  - 16.7.1.5.1 The instructor or a designee shall distribute the evaluation forms during a class period.
  - 16.7.1.5.2 The instructor or designee shall be absent from the room while students fill out the evaluations.
  - 16.7.1.5.3 Students shall always have the option to sign or not sign the evaluation forms.

- 16.7.1.5.4 A volunteer from among the students in the class shall collect the completed evaluation forms and deliver them to the ~~department or school~~school office in a sealed envelope provided by the instructor.
- 16.7.1.5.5 The evaluations shall be provided to the instructor after final course grades have been submitted, and the instructor shall assure the students that this measure protective of their freedom of expression will be implemented.
- 16.7.1.6 Those interpreting the evaluations should give due consideration to the differing circumstances under which signed and unsigned evaluations were written.
- 16.7.1.7 Before student evaluations are given to the ~~chairperson or~~ director or an authorized faculty committee for review, the faculty member being evaluated shall have opportunity to append any explanations or additional information he or she may want to accompany the evaluation packet.
- 16.7.1.8 The faculty member's response should be included with the raw data for any review.
- 16.7.1.9 Once the evaluations have been used for the annual evaluation of the faculty member and/or tenure and promotion procedures, those evaluations become the property of the individual faculty member.
- 16.7.2 External peer review of teaching
  - 16.7.2.1 If external peer review of teaching is required by the ~~department/school~~school (see below), the ~~chairperson or~~ director must submit materials to be evaluated which includes responses from at least three evaluators, external to the campus. This list of respondents may include people suggested by the faculty member, supplemented by other names at the discretion of the ~~chairperson or~~ director.
  - 16.7.2.2 External peer review of research/creative activity is required for all College faculty for tenure and promotion, but not for reappointment evaluations.
  - 16.7.2.3 ~~Departments/s~~Schools in the College may require external peer review of teaching as part of that unit's criteria for promotion and/or tenure.
- 16.7.3 The following are examples of other categories of information that the Faculty believes to be useful for evaluating teaching:
  - 16.7.3.1 Self-evaluation by the individual faculty member.
  - 16.7.3.2 Evaluations of courses that are linked in discipline-specific sequences: an indication of the quality of student work in courses that follow from the courses under scrutiny.
  - 16.7.3.3 Growth and development of student accomplishment in attaining course objectives as measured by pre- and post-testing.
  - 16.7.3.4 Curriculum development and innovations.
  - 16.7.3.5 Review of teaching materials, examining such issues as their ideological currency, academic soundness, relationship to course objectives, and conceptual sophistication.

16.7.3.6 Interpretation of student complaints, provided that the content and nature of any complaint be made known to the faculty member under review, that the faculty member have opportunity to respond in writing, and that the response be incorporated into his or her permanent file.

16.7.3.7 Classroom visitation

16.7.3.7.1 If a program of classroom visitation is adopted, the following safeguards must be followed:

16.7.3.7.1.1 Choice of visitors shall be from among the faculty responsible for reviewing pedagogical performance and shall not include the ~~chairperson or~~ director.

16.7.3.7.1.2 The individual under review shall be free to invite as observers any additional members of the faculty responsible for his or her review.

16.7.3.7.1.3 The department shall present in writing to the observers and the individual under review a checklist of the attributes to be appraised.

16.7.3.7.1.4 The faculty member shall have the right to see the report(s) of the observer(s) before submission to the ~~chairperson or~~ director and/or authorized faculty committee and to write a response that shall be attached to the report(s).

16.7.3.7.1.5 No anonymous reports will be accepted.

16.7.4 Academic freedom in relation to teaching

The boundaries that academic freedom places upon what is said in and out of the classroom are described in the Bylaws of the Board of Regents, Chapter IV, 4.2.

## **17. DEPARTMENTAL PROCEDURES FOR EVALUATION OF TENURE-LEADING FACULTY FOR THE PURPOSE OF REAPPOINTMENT**

17.1 All tenure-leading faculty who have not been awarded tenure are reviewed annually for the purpose of reappointment decisions. Each probationary appointment, unless specified in his/her contract, is for one year and shall carry no presumption of renewal, and will terminate at the end of the stated term, according to the policies and procedures of the Bylaws of the Board of Regents, section 4.4.2.

17.2 Evaluation for reappointment is based on a reappointment file, assembled by the faculty member, according to the guidelines contained in Section 16.5 - Reappointment, Promotion and Tenure Files. For reappointment decisions of non-tenure faculty, external peer evaluation (16.7.2) is not required.

- 17.3 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the ~~department or school~~school. The ~~chairperson or~~director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the ~~chairperson or~~director and a recommendation from the ~~chairperson or~~director to the Dean). The letter from the voting faculty must include the following information:
- 17.3.1 the reappointment year of the faculty member being evaluated.
  - 17.3.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
  - 17.3.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
  - 17.3.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 17.3.5 the action recommended by the voting faculty, the options of which are reappointment or non-reappointment.
- 17.4 The letter from the ~~chairperson or~~director must include the following information:
- 17.4.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
  - 17.4.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are reappointment or non-reappointment.
- 17.5 Rules governing the evaluative comments
- 17.5.1 As required by UNL Bylaws and Board of Regents' Policies, these comments are to make specific recommendations for improvement and professional development in teaching, scholarly and/or creative activity, and service that will enhance the faculty member's chances of eventually achieving tenure at the end of the probationary period.
  - 17.5.2 Care should be taken that a positive annual review is not understood as a promise of eventual tenure. A positive evaluation should be interpreted as a prognosis merely favorable, not binding on the part of the university. It is important to recognize that sustained positive contributions are critical for the awarding of tenure.
  - 17.5.3 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
- 17.6 Importance of clarity in the evaluative comments
- It is vital that the evaluative comments of the eligible voting faculty and the ~~chairperson or~~director be clear and specific, because, in addition to their decision function, they fill two

informational roles. One of those roles is to provide guidance to the faculty member being evaluated of his/her progress toward tenure and/or promotion. The other role is to provide a historical context helpful to those charged with future evaluations of the faculty member's progress from year to year. The more specific and succinct the comments, the more useful they will be both to the faculty member and to subsequent evaluators. The evaluations should be specific in their discussions of creative activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.

17.7 As per UNL bylaws, the ~~chair or director~~director must make every attempt to secure votes from all faculty eligible to vote on reappointment.

17.8 The Dean shall make the final decision on reappointment of tenure-leading faculty.

## 18. DEPARTMENTAL PROCEDURES FOR EVALUATION OF FACULTY FOR THE PURPOSE OF GRANTING TENURE

18.1 Procedures for creating a tenure application file (See 16.4 and 16.7)

The faculty member under consideration must assemble a tenure file, in accordance with the ~~department/school/school~~, College, and university timelines, containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the tenure judgment. Its contents should be as follows:

18.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)

18.1.2 data regarding the three areas by which tenure decisions are made: teaching, research/creative activity, and service

18.2 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.

18.3 ~~Chairpersons and d~~irectors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the ~~chairperson or~~ director -- or chairperson of a promotion and tenure committee—to provide advice on the assembly of the tenure file to ensure that no important information has been overlooked.)

18.4 A recommendation for tenure should be made only if the faculty member's attainment is not only significant but also has been sustained over a long enough period of time to indicate likelihood of continuation.

- 18.5 The total period of service prior to a "continuous appointment" for a member of the faculty is described in the Bylaws of the Board of Regents, Chapter IV. 4.10. The "mandatory" evaluation for a tenure decision is the sixth year of total full-time service, as defined in the Bylaws of the Board of Regents, Section 4.10. It is possible in truly exceptional instances, for a faculty member to request consideration for the granting of tenure before the mandatory year. Through past practice, the University has indicated the granting of early tenure will be awarded only to extraordinary faculty members who have substantially exceeded the criteria for tenure.
- 18.6 The following policies are procedures to be followed in any tenure evaluation:
- 18.6.1 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the ~~department or school~~school. The ~~chairperson~~director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the ~~chairperson or~~director and a recommendation from the ~~chairperson or~~director to the Dean). The letter from the voting faculty must include the following information:
- 18.6.1.1 the reappointment year of the faculty member being evaluated.
- 18.6.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
- 18.6.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
- 18.6.1.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
- 18.6.1.5 the action recommended by the voting faculty, the options of which are "for tenure" or "against tenure" or "abstention."
- 18.7 The letter from the ~~chairperson or~~director must include the following information:
- 18.7.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
- 18.7.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for tenure" or "against tenure."
- 18.8 Rules governing the evaluative comments
- 18.8.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
- 18.8.2 The evaluative comments of the eligible voting faculty and the ~~chairperson or~~director must be clear and specific, citing clear reasons for the recommendations provided. The

evaluations should be specific in their discussions of creative activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include reference to student evaluations used and how they were interpreted.

- 18.9 As per UNL Bylaws, the ~~chair or director~~director must make every attempt to secure votes from all faculty eligible to vote on tenure.
- 18.10 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

## **19. DEPARTMENTAL PROCEDURES FOR EVALUATION OF TENURED AND TENURE-LEADING FACULTY FOR THE PURPOSE OF PROMOTION**

(Refer to 16.3.4.2 for the College criteria for promotion to specific ranks.)

- 19.1 Since an application for promotion may occur without application for tenure, or after tenure is granted, this section of the bylaws is included separately.
- 19.2 As a general guideline, it is expected that faculty will remain in each rank of assistant professor and associate professor for six years while preparing for advancement. It is possible, however, for applications for "early" promotion to be considered in truly exceptional cases. In such instances, all established criteria for promotion must be met or exceeded.
- 19.3 In many instances application for promotion to associate professor and application for tenure occur at the same time. In these cases, the faculty member's file is evaluated for both simultaneously, and the evaluative letters from the eligible voting faculty and the ~~chairperson or~~ director should speak to both issues, tenure and promotion. If it is not the mandatory year for consideration of the faculty member's tenure, it is possible for the voting faculty and/or the ~~chairperson/~~director to recommend "for promotion" and "against tenure."
- 19.4 Procedures for creating a promotion application file. (see 16.4 and 16.7)
  - 19.4.1 The faculty member under consideration must assemble a promotion file containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the judgment. Its contents should be as follows:
    - 19.4.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)
    - 19.4.1.2 data regarding the three areas by which promotion decisions are made: teaching, research and/or creative activity and service.

- 19.5 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.
- 19.6 ~~Chairpersons and d~~Directors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the ~~chairperson or~~ director -- or chairperson of a promotion and tenure committee – to provide advice on the assembly of the promotion file to ensure that no important information has been overlooked.)
- 19.7 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty (tenured faculty) in the ~~department or school~~school. The ~~chairperson/~~director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the ~~chairperson or~~ director and a recommendation from the ~~chairperson or~~ director to the Dean).
- 19.7.1 The letter from the voting faculty must include the following information:
- 19.7.1.1 the reappointment year of the faculty member being evaluated.
- 19.7.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
- 19.7.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against" and the number of abstentions.
- 19.7.1.4 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
- 19.7.1.5 the action recommended by the voting faculty, the options of which are "for promotion" or "against promotion" or "abstention."
- 19.7.2 The letter from the ~~chairperson or~~ director must include the following information:
- 19.7.2.1 specific evaluative comments on the faculty member's teaching, research/creative activity and service.
- 19.7.2.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for promotion" or "against promotion."
- 19.7.3 Rules governing the evaluative comments
- 19.7.3.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
- 19.7.3.2 The evaluative comments of the eligible voting faculty and the ~~chairperson or~~ director must be clear and specific, citing clear reasons for the recommendations provided. The evaluations should be specific in their discussions of creative



activities and publications so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.

- 19.7.4 As per UNL Bylaws, the ~~chair or director~~director must make every attempt to secure votes from all faculty eligible to vote on promotion.
- 19.7.5 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

## **20. DEPARTMENTAL PROCEDURES FOR EVALUATION OF PROFESSORS OF PRACTICE FOR THE PURPOSE OF REAPPOINTMENT**

- 20.1 Professors of practice are reviewed in the penultimate year of their term for the purpose of reappointment decisions. Appointments for assistant professor of practice range from one to three years; associate professor of practice, one to four years; and professor of practice, one to five years. The appointments shall carry no presumption of renewal, and will terminate at the end of the stated term, according to the policies and procedures of the Bylaws of the Board of Regents, section 4.4.8.
- 20.2 Evaluation for reappointment is based on a reappointment file, assembled by the faculty member, according to the guidelines contained in Section 16.5 - Reappointment, Promotion and Tenure Files.
- 20.3 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty in the ~~department or school~~school. The ~~chairperson~~director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the ~~chairperson or~~director and a recommendation from the ~~chairperson or~~director to the Dean). The letter from the voting faculty must include the following information:
  - 20.3.1 the reappointment year of the faculty member being evaluated.
  - 20.3.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.
  - 20.3.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against," and the number of abstentions.
  - 20.3.4 specific evaluative comments on the faculty member's teaching and service.
  - 20.3.5 the action recommended by the voting faculty, the options of which are reappointment or non-reappointment.
- 20.4 The letter from the ~~chairperson or~~director must include the following information:

- 20.4.1 specific evaluative comments on the faculty member's teaching and service.
  - 20.4.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are reappointment or non-reappointment.
- 20.5 Rules governing the evaluative comments
- 20.5.1 As required by UNL Bylaws and Board of Regents' Policies, these comments are to make specific recommendations for improvement and professional development in teaching and service that will enhance the faculty member's chances of eventually achieving tenure at the end of the probationary period.
  - 20.5.2 Care should be taken that a positive annual review is not understood as a promise of reappointment. A positive evaluation should be interpreted as a prognosis merely favorable, not binding on the part of the university.
  - 20.5.3 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)
- 20.6 Importance of clarity in the evaluative comments
- It is vital that the evaluative comments of the eligible voting faculty and the ~~chairperson or~~ director be clear and specific, because, in addition to their decision function, they fill two informational roles. One of those roles is to provide guidance to the faculty member being evaluated of his/her progress toward promotion. The other role is to provide a historical context helpful to those charged with future evaluations of the faculty member's progress from year to year. The more specific and succinct the comments, the more useful they will be both to the faculty member and to subsequent evaluators. The evaluations should be specific in their discussions so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.
- 20.7 As per UNL bylaws, the ~~chair or director~~director must make every attempt to secure votes from all faculty eligible to vote on reappointment.
  - 20.8 The Dean shall make the final decision on reappointment.

## 21. DEPARTMENTAL PROCEDURES FOR EVALUATION OF PROFESSORS OF PRACTICE FOR THE PURPOSE OF PROMOTION

(Refer to 16.3.4.3 for the College criteria for promotion to specific ranks.)

- 21.1 As a general guideline, it is expected that faculty will remain in each rank of assistant professor of practice and associate professor of practice for six years while preparing for advancement. It is

possible, however, for applications for "early" promotion to be considered in truly exceptional cases. In such instances, all established criteria for promotion must be met or exceeded.

21.2 Procedures for creating a promotion application file. (see 16.4 and 16.7)

21.2.1 The faculty member under consideration must assemble a promotion file containing the data on which the evaluation is to be based, so that it may be studied by those charged with making the judgment. Its contents should be as follows:

21.2.1.1 information contained in the faculty member's departmental personnel file and Cumulative Faculty Record. (see 16.4)

21.2.1.2 data regarding the two areas by which promotion decisions are made: teaching and service.

21.3 It is the responsibility of the individual being considered to examine these materials and make sure that they are complete.

21.4 ~~Chairpersons and d~~Directors may ask faculty members to certify that the material being presented is complete. (The faculty member may want to seek the advice of the ~~chairperson or~~ director -- or chairperson of a promotion committee -- to provide advice on the assembly of the promotion file to ensure that no important information has been overlooked.)

21.5 Every evaluation and recommendation must be discussed at a meeting of the eligible voting faculty in the ~~department or school~~school. The ~~chairperson/~~director will send copies of two separate and independent letters of evaluation and recommendation to the faculty member (a summary of the evaluation meeting from the voting faculty to the ~~chairperson or~~ director and a recommendation from the ~~chairperson or~~ director to the Dean).

21.5.1 The letter from the voting faculty must include the following information:

21.5.1.1 the reappointment year of the faculty member being evaluated.

21.5.1.2 the date of the eligible voting faculty's evaluative meeting in which the candidate's file is reviewed.

21.5.1.3 the exact number of eligible voting faculty, the number of votes "for," the number of votes "against" and the number of abstentions.

21.5.1.4 specific evaluative comments on the faculty member's teaching and service.

21.5.1.5 the action recommended by the voting faculty, the options of which are "for promotion" or "against promotion" or "abstention."

21.5.2 The letter from the ~~chairperson or~~ director must include the following information:

21.5.2.1 specific evaluative comments on the faculty member's teaching and service.

21.5.2.2 the action recommended, in concurrence or disagreement with the recommendation by the voting faculty, the options of which are "for promotion" or "against promotion."

21.5.3 Rules governing the evaluative comments

21.5.3.1 As designated elsewhere in these Bylaws, comments are to be provided using a descriptive system consisting of five modifying words or phrases. (see 16.3.2)

21.5.3.2 The evaluative comments of the eligible voting faculty and the ~~chairperson or~~ director must be clear and specific, citing clear reasons for the recommendations provided. The evaluations should be specific in their discussions so that the true quality and quantity are readily understandable. In discussing teaching, it is important to include references to student evaluations used and how they were interpreted.

21.5.4 As per UNL Bylaws, the ~~chair or director~~director must make every attempt to secure votes from all faculty eligible to vote on promotion.

21.5.5 Both evaluative letters and the faculty member's file are forwarded to the Dean and the College Executive Committee for review and recommendation. (see 16.1.4)

## 22. COLLEGE AND EXECUTIVE COMMITTEE PROCEDURES FOR EVALUATION OF FACULTY FOR THE PURPOSES OF REAPPOINTMENT, PROMOTION, AND GRANTING TENURE

### 22.1 Reappointment

After reappointment reviews are completed and recommendations are formulated by both the eligible voting faculty and the ~~chairperson or~~ director, those recommendations are forwarded to the College office. After receiving the recommendations of the voting faculty and the ~~chairperson/~~director, and a copy of the faculty member's current Curriculum Vitae, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean's recommendation is forwarded to the Senior Vice Chancellor for Academic Affairs. A copy of the recommendation must be provided to the faculty member and the ~~chairperson/~~director.

### 22.2 Promotion/Tenure

After promotion and/or tenure reviews are completed and recommendations are formulated by both the eligible voting faculty and the ~~chairperson or~~ director, those recommendations are forwarded, along with the candidate's tenure and/or promotion file, to the College office.

- 22.3 When the file and the recommendations are received in the Dean's office, both the Dean and the members of the College Executive Committee will be notified and the initial examination of all materials will be completed on an individual basis.
- 22.4 The College Executive Committee then meets as a whole to discuss the faculty member's application, the supporting materials, and the letters from the ~~department/school~~school faculty and the ~~chairperson or~~ director. Unless additional information is requested, the Committee formulates a letter of recommendation, with detailed reasons for their recommendation, and submits it to the Dean, to be transmitted to the Senior Vice Chancellor for Academic Affairs, with the applicant's file. Except as noted in section 22.5, below, each of the nine members on the College Executive Committee has one vote.
- 22.5 When a promotion or tenure recommendation is being considered, the College Executive Committee members from the candidate's home ~~department or school~~school shall:
- 22.5.1 not vote.
- 22.5.2 withdraw from the meeting room so that their presence not be construed as inhibiting free discussion.
- 22.6 The College Executive Committee expects to concur with the school ~~and departmental~~ recommendations unless there are strong reasons not to do so. If the Committee does have questions about a promotion and/or tenure recommendation from a ~~department or school~~school or feels the evidence supporting such a recommendation is inadequate, the following steps are to be taken:
- 22.6.1 the ~~chairperson or~~ director is to be given an opportunity to present additional materials that might help clarify the position taken by his/her ~~department or school~~school, prior to the final vote of the College Executive Committee. New material of such a substantive nature as to adversely affect the decision shall not be introduced unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decisions until the person has had the opportunity to respond.
- 22.6.2 If the recommendation of the College Executive Committee and the ~~department/school~~ and/or the ~~chairperson/~~director are in opposition:
- 22.6.2.1 the ~~department/~~school or chairperson may appeal for reconsideration.
- 22.6.2.2 the appeal may be made by the ~~department/school,~~ ~~chairperson~~ or director, or by the faculty member under review.
- 22.6.2.3 The faculty member involved:
- 22.6.2.3.1 should be consulted by the ~~chairperson or~~ director to seek his or her input in the appeal.

22.6.2.3.2 may join personally in the appeal.

- 22.6.3 If the College Executive Committee disagreement with the ~~department or~~ school remains after any subsequent review or appeal, the reasons for disagreement must be provided in writing to the ~~chairperson/~~director and to the individual concerned.
- 22.6.4 If the College Executive Committee recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5. No negative recommendation shall be forwarded until the reconsideration is complete.
- 22.6.5 After receiving the recommendations of the voting faculty, the ~~chairperson/~~director, and the College Executive Committee, the Dean of the College will conduct an independent review of the file and any additional materials that might have been compiled in any review or appeal and will make an independent evaluation of the application. The Dean will forward his/her recommendation and all requested file materials to the Senior Vice Chancellor for Academic Affairs, the candidate, the College Executive Committee, and the ~~chairperson/~~director. If the Dean recommends against promotion or tenure, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in 16.1.5.
- 22.6.6 The faculty member under consideration has the right to withdraw the application for tenure and/or promotion at any step in the process, without prejudice. If it is the candidate's mandatory year for tenure consideration, withdrawal from consideration implies that the candidate will not seek tenure and his/her contract will expire at the end of the probationary period.

## 23. POST-TENURE REVIEW

(University of Nebraska-Lincoln Guidelines for the Evaluation of Faculty 9/30/97; amended 9/16/98)

### Special Peer Review

#### 23.1 Purpose

The special peer review process is intended to assist tenured faculty in achieving their professional goals and maximizing their Contributions to the University throughout their professional careers, to provide assurance to the public that tenured faculty are accountable for their performance, and to provide continued peer involvement in the review of tenured faculty members. (It remains the responsibility of the Senior Vice Chancellor for Academic Affairs and the Vice Chancellor for the Institute of Agriculture and Natural Resources, respectively, to ensure that annual reviews referred to herein are conducted in all departments in a rigorous and equitable manner.)

#### 23.2 Applicability of review process

The special peer review process is applicable to all members of the faculty who have been on a continuous contract pursuant to Board of Regents Bylaws 4.4.3 for a period of three years or more.

A faculty member shall not be subject to or eligible for a special peer review more than once every four years. A faculty member shall be reviewed in accordance with the special peer review process in either of the following circumstances:

23.2.1 A faculty member receives (after the third year of being on continuous contract):

23.2.1.1 A written annual evaluation from the unit administrator that identifies a substantial and chronic deficiency in the faculty member's performance and clearly states that if the faculty member does not make substantial, acceptable progress toward remedying the deficiency by the next annual evaluation, a post-tenure review will be initiated; and

23.2.1.2 Notification deriving from the next annual review that the unit administrator has determined that the substantial and chronic deficiency identified in the previous evaluation has not been remedied, that a post-tenure review is appropriate, and that the dean concurs. Ordinarily, the faculty member shall be provided notification by June 30 that a review will be scheduled for the following academic year. Upon recommendation of the unit administrator and approval of the dean, a faculty member subject to post-tenure review under this section may be exempted or deferred for review if there are clearly extenuating circumstances (such as health problems) and an alternate plan for addressing the problems is adopted.

23.2.2 A faculty member requests a review in accordance with the special peer review process. The purpose of such a review would be to provide helpful evaluation and assistance to the faculty member in planning a prospective program by which the faculty member can maximize his or her contributions to the University and more fully realize his or her professional goals.

23.3 Initiating the review process

23.3.1 Whenever a special peer review is initiated, either by the faculty member or the unit administrator, the unit administrator shall first consult with the faculty member and then shall establish a schedule for the conduct of the review. Ordinarily, the review shall be scheduled for the academic year, and preferably the fall term, following notification of, or request by, the faculty member.

23.3.2 For a review initiated under 21.2.1 above, the unit administrator shall construct a special peer review file containing a clear identification and description of the deficiency or deficiencies, copies of the faculty member's last three annual reviews, such other materials as are relevant, and a document suggesting ways in which the deficiency could be removed. For a review initiated under 21.2.2 above, the unit administrator shall provide the Review Committee with a file containing copies of the faculty member's previous three annual reviews and such other materials as are relevant.

23.3.3 The faculty member shall have the opportunity to supplement the special peer review file throughout the review process by including any information the faculty member believes to be material and helpful to the Review Committee or to administrators involved in the review process. The unit administrator shall cooperate with the faculty member to provide relevant information and shall periodically notify the faculty member of

additions to the file. The faculty member shall be given access to all materials in the special peer review file. If the faculty member acknowledges a deficiency in performance, he or she is encouraged to include in the file a plan to remedy the deficiency or to otherwise maximize the faculty member's achievement of professional goals and contribution to the unit's mission, with specific goals and timetables for their achievement.

23.3.4 The faculty member and the unit administrator may include in the file a response to material provided by the other.

23.3.5 The unit administrator shall provide the Review Committee with a copy of the procedures and schedule for the special peer review.

#### 23.4 Appointing the Review Committee

23.4.1 A Review Committee shall be selected to conduct the review of the faculty member's performance. The Committee shall be composed of an appropriate group of tenured faculty from within and outside the unit who hold an academic rank at least equal to that of the faculty member to be reviewed. The Committee shall include some representation of the discipline and mission of the faculty member under review. Ordinarily the Committee should be composed of 3 individuals capable of providing a fair and unbiased assessment of the faculty member's performance.

23.4.2 Initially, the unit administrator and the faculty member shall meet and attempt to agree on the composition of the Committee, which must be approved by the dean.

23.4.3 If the unit administrator and the faculty member are unable to agree on the composition of the Committee, the Committee shall be chosen by an appropriate elected faculty committee within the unit, or, for departments with fewer than ten full-time faculty members, within the College; the composition of the Committee is subject to approval by the dean. Each unit, in its by-laws or otherwise, shall have previously designated the appropriate elected faculty committee for this purpose.

#### 23.5 Conducting the review

23.5.1 The Review Committee shall review the file constructed for this purpose and may meet with the unit administrator and the faculty member, either together or separately. The Committee may consult other sources of information not included in the file with the approval of the unit administrator and the faculty member.

23.5.2 Evaluation by peers external to the campus is required when research productivity is an issue; evaluation by peers external to the campus may be used when teaching and/or service/extension productivity is in question. If the Review Committee determines that evaluation by external peers is required or would be useful, the Committee shall notify the unit administrator and the faculty member. Thereafter, such outside reviews shall be obtained in accordance with the same procedure utilized by the unit to obtain outside reviews for purposes of making tenure decisions.



- 23.5.3 In accordance with the schedule for the review established by the unit administrator, the Review Committee shall make a written report of its findings and recommendations, if any.
- 23.5.4 If the special peer review is conducted at the request of the unit administrator pursuant to section 21.2.1 of this procedure, the written report of the Review Committee shall be provided to the unit administrator, the faculty member's dean, and the faculty member.
- 23.5.5 If the special peer review is conducted at the request of the faculty member pursuant to section 21.2.2 of this procedure, the written report of the Review Committee shall be provided solely to the faculty member. The faculty member, at his or her discretion, may keep the Report confidential, share it with the unit administrator, or share it with the unit administrator and dean. If requested by the faculty member, the unit administrator and dean shall provide a written response to the Report, indicating the extent to which he or she agrees or disagrees with the findings and recommendations of the Report and why. At the request of the faculty member, the Report and any response from administrators shall be made part of the faculty member's permanent personnel record. The faculty member, the unit administrator, and the dean shall work together to implement those recommendations on which they mutually agree. Nothing in the Report shall be used in any university evaluation without the consent of the faculty member. However, the faculty member may not attempt to utilize only a portion of the Report or any edited version of the Report in other university evaluations.

#### 23.6 Preparing the Review Committee report

- 23.6.1 The purpose of the Review Committee Report is to provide an assessment of the performance of the faculty member subject to review and, where appropriate or necessary, to provide recommendations to maximize the faculty member's contributions to the unit and the University. The Review Committee Report is advisory. The Report shall include part (1) below and, as appropriate, parts (2) through (5):
- (1) An assessment of the strengths and weaknesses of the faculty member's performance;
  - (2) Recommendations for ways, if any, in which the faculty member could enhance achievement of his or her professional goals and his or her contributions to the mission of the unit, including suggestions, where appropriate, for adjustment in the faculty member's responsibilities, goals and timetables for meeting the goals, and criteria for assessing the faculty member's achievement of enhanced performance.
  - (3) An evaluation of any proposed plan submitted by the unit administrator or the faculty member to remedy any deficiency in the faculty member's performance and any recommended modification to such a plan.
  - (4) Recommendations for ways, if any, in which the unit administrator could provide professional development support to assist the faculty member in enhancing achievement of his or her professional goals and his or her contribution to the mission of the unit.

- (5) For a review initiated under 21.2.1 above, any recommendations for sanctions to be imposed upon the faculty member for performance characterized by substantial and chronic deficiency.
- 23.6.2 The Review Committee, if it believes that inappropriate criteria have been used to evaluate the faculty member, shall also indicate that fact in its Report.
  - 23.6.3 For a review initiated under 21.2.1 above, the Review committee shall make one of the following findings, to be clearly stated in its Report:
    - 23.6.3.1 The faculty member has not identified substantial and chronic deficiencies. If the Review Committee finds that the faculty member's performance does not reflect any substantial and chronic deficiency or deficiencies for the period under review, the faculty member and the unit administrator will be so informed in writing and the review is thereby completed.
    - 23.6.3.2 The faculty member has substantial and chronic deficiencies. The Review Committee shall state and describe the deficiency or deficiencies in its Report, which shall include all the elements listed under 21.6, items (1) through (5). The Committee shall provide a copy to the faculty member and the unit administrator.
  - 23.6.4 The unit administrator shall allow the faculty member being reviewed an opportunity to provide a written response to the Review Committee Report. Except when the review was conducted at the faculty member's request, the Report and any response from the faculty member shall be made a part of the faculty member's permanent personnel record.
- 23.7 Completing the review process under a finding of substantial and chronic deficiency
    - 23.7.1 Upon receipt of a Review Committee report and the faculty member's response, if any, the unit administrator shall meet with the faculty member reviewed to consider the report and any recommendations therein. The unit administrator shall then provide the faculty member and the dean with a written appraisal of the faculty member's performance, together with all documentation pertaining to the faculty member's review, including the file constructed for the review, the Review Committee's Report, and the faculty member's written response to the review, if any. The appraisal shall include, where appropriate:
      - 23.7.1.1 the extent to which the unit administrator accepts or rejects the findings and recommendations of the Review Committee Report and the reasons for doing so; the unit administrator may reject the Review Committee's findings only for compelling reasons, communicated in writing to the faculty member and the dean.
      - 23.7.1.2 a plan outlining the expectations of the unit administrator as to how the faculty member can remedy any deficiency in performance or enhance the faculty member's professional goals and contribution to the unit, including specific goals and time tables for achieving such goals and the criteria to be applied in making such a determination;

23.7.1.3 the resources the unit administrator is willing and able to provide the faculty member to assist in implementing the plan;

23.7.1.4 any adjustment in assignment or responsibilities of the faculty member; and

23.7.1.5 any sanction to be imposed on the faculty member related to his or her performance. Sanctions governed by Regents Bylaws shall only be imposed following the procedure prescribed in the by-laws.

23.7.2 The dean, after review and consultation, may accept, modify, or reject the unit administrator's written appraisal and recommendations, but where the dean's appraisal differs from that provided by the Review Committee or where the dean accepts recommendations that differ from those provided by Review Committee, the dean may modify or reject only for compelling reasons, communicated in writing. The dean's response shall be provided to the faculty member and to the unit administrator.

23.7.3 A faculty member dissatisfied with the results of the special peer review and the unit administrator's subsequent appraisal, or the dean's acceptance, modification or rejection of it, may pursue any appeal or remedy otherwise available to faculty members relating to matters that affect their employment status (21.2).

23.7.4 Progress towards achieving the goals and timetables set out in the unit administrator's plan, as approved by the dean, will be reviewed in subsequent annual reviews. If the faculty member fails to achieve the goals and timetables defined in that plan, those administrative processes defined by the Regent's Bylaws (and different from special peer review) may be initiated as appropriate. Special peer review is not a prerequisite for initiation of those other administrative processes.

#### 23.8 Review of the special peer review

In the academic year following its fifth full year of operation, the Special Peer Review system shall be reviewed by a joint taskforce of administrators and faculty members. The taskforce shall assess the system's efficacy, fairness, and overall contribution to institutional betterment. (21.1). The standards for substantial and chronic deficiency shall be determined by the faculty in each unit and, when approved by the appropriate unit administrator, dean and vice chancellor, shall become part of its evaluation procedures.

#### **Adopted August, 1993**

**Amended at College Faculty meeting on 12/3/93 (Changes approved by vote at meeting)**

**Amended at College Faculty meeting on 4/23/97 (Changes approved by mail ballot)**

**Amended at College Faculty meeting on 10/8/97 (Changes approved by mail ballot)**

**Amended at College Faculty meeting on 4/5/00 (Changes approved by vote at meeting)**

**Revised, 2002-2004 (Changes approved by vote at College Faculty meeting on 3/31/04)**

**Amended at College Faculty meeting on 4/5/06 (Change approved by unanimous vote at meeting)**

**Amended at College Faculty meeting on 11/2/06 (Change approved by unanimous vote at meeting)**

**Amended at College Faculty meeting on 4/4/07 (Change approved by vote at meeting)**

Lincoln, Nebraska  
September 16, 2016

The Board of Regents of the University of Nebraska met on September 16, 2016, at 10:35 a.m. in the board room at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of *Neb. Rev. Stat.* § 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on September 8, 2016.

Regents present:

Timothy Clare  
Hal Daub  
Howard Hawks  
Bob Phares  
Jim Pillen  
Robert Schafer  
Kent Schroeder, Chairman  
Bob Whitehouse, Vice Chairman  
Rachel Flaugh, University of Nebraska at Kearney  
Spencer Hartman, University of Nebraska-Lincoln  
Daniel Cloonan, University of Nebraska Medical Center  
Patrick Davlin, University of Nebraska at Omaha

University officials present:

Hank M. Bounds, President  
Susan M. Fritz, Executive Vice President and Provost  
Carmen K. Maurer, Corporation Secretary  
John E. Christensen, Chancellor, University of Nebraska at Omaha  
Jeffrey P. Gold, Chancellor, University of Nebraska Medical Center  
Ronnie D. Green, Chancellor, University of Nebraska-Lincoln  
Douglas A. Kristensen, Chancellor, University of Nebraska at Kearney  
David E. Lechner, Senior Vice President for Business and Finance | CFO  
Joel D. Pedersen, Vice President and General Counsel  
Matthew C. Hammons, Interim Vice President for University Affairs  
Ronald E. Yoder, Interim Vice President of Agriculture and Natural Resources

**I. CALL TO ORDER**

**II. ROLL CALL**

The Board convened at 10:35 a.m. in the Board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska on September 16, 2016. Attendance is indicated above.

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

Motion Moved by Daub and seconded by Clare to approve the minutes and ratify the actions of the regularly scheduled meeting on July 22, 2016.

Action Student Opinion: Voting Aye: Davlin, Flaugh, Hartman, and Cloonan. Voting Aye: Daub, Hawks, Phares, Pillen, Schafer, Schroeder, Whitehouse, and Clare. Motion carried.

Chairman Schroeder announced the location of the Open Meetings Act in the board room.

**IV. KUDOS**

**Regent Hartman presented a KUDOS award to Bradley Green**, Associate Director of Undergraduate Recruitment and Admissions at the University of Nebraska at Kearney.

**Regent Flaugh presented a KUDOS award to Cindy Plate**, Administrative and Faculty Support Supervisor in the Eppley Institute, and the Pancreas Cancer Program Coordinator,

and Special Programs of Research Excellence (SPORE) Administrator for the Fred and Pamela Buffett Cancer Center at the University of Nebraska Medical Center.

**Regent Whitehouse presented a KUDOS award to Mel Clancy, Director of TRIO Project Achieve at the University of Nebraska at Omaha.**

The Leadership UNK group was welcomed by Regent Schroeder and Chancellor Kristensen. The goal of Leadership UNK is to familiarize staff members with various aspects of leadership at UNK and within the University system, to expose them to leadership opportunities on campus, then encourage them to accept leadership roles in the future.

**V. RESOLUTIONS**

None

**VI. HEARINGS**

None

**VII. PUBLIC COMMENT**

None

**VIII. CONSENT AGENDA**

**A. ACADEMIC AFFAIRS**

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

VIII-A-1 President's Personnel Recommendations and Board of Regents Personnel Recommendation and Report

VIII-A-2 Approval to Award Degrees and Certificates for the 2016-2017 academic year and 2017 summer sessions at the University of at Kearney

VIII-A-3 Approval to Award Degrees and Certificates for the 2016-2017 academic year and 2017 summer sessions at the University of Nebraska-Lincoln

VIII-A-4 Approval to Award Degrees and Certificates for the 2016-2017 academic year and 2017 summer sessions at the University of Nebraska Medical Center

VIII-A-5 Approval to Award Degrees and Certificates for the 2016-2017 academic year and 2017 summer sessions at the University of Nebraska at Omaha

VIII-A-6 Request Approval of Outside Employment from Dr. Betty Love, University of Nebraska at Omaha

**B. BUSINESS AFFAIRS**

University of Nebraska

VIII-B-1 Approve the appointments of Regents Bob Phares and Jim Pillen and Chancellor Ronnie Green to the Othmer-Topp Endowments Committee

VIII-B-2 Approve (1) the appointment of Ronald Yoder as a member of the "Class B" Directors of the Nebraska Innovation Campus Development Corporation (NICDC) effective July 1, 2016, for a term of office to coincide with his appointment as Interim Vice President, Agriculture and Natural Resources and Interim Vice Chancellor, Institute of Agriculture and Natural Resources; (2) approve the reappointment of Matt Williams and Tonn Ostergard as members of "Class B" of the NICDC Board of Directors for three-year terms effective July 1, 2016; and (3) appoint Stephen Goddard as a member of the "Class C" Directors of the NICDC Board, effective August 30, 2016, for a term of office to coincide with his appointment as Interim Vice Chancellor for Research and Economic

Development, serving in place of Prem Paul, who resigned his position, effective August 29, 2016.

University of Nebraska at Kearney

VIII-B-3 Approve the naming of the University of Nebraska at Kearney the “Dick Collins Sports Equipment Room in the Health and Sport Center”

University of Nebraska Medical Center

VIII-B-4 Approve the naming of the “Yonkers Conference Room,” located in Room 3106 of the Otolaryngology Department

University of Nebraska-Lincoln

VIII-B-5 Approve the renaming of the Whittier Research Center the “Prem S. Paul Research Center at Whittier School” at the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Flaugh, Hartman, Cloonan, and Davlin. Voting Aye: Hawks, Phares, Pillen, Schafer, Schroeder, Whitehouse, Clare, and Daub. Motion carried

**IX. ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

Motion Moved by Daub and seconded by Whitehouse to approve items IX-A-1, IX-A-2, and IX-A-3

IX-A-1 Approve the amendment to Board of Regents Policy RP-5.2.1. Admission Standards, Section 3. “Performance Requirements”

**RP-5.2 Admissions**

**RP-5.2.1 Admission Standards**

3. Performance Requirements

In addition to meeting the above core course requirements, students seeking admission to the University on any campus shall:

- a. Be ranked in the 50th percentile or higher of their graduating class in an accredited high school; or
- b. Have received an ACT composite score of 20 (enhanced) or greater; or its SAT equivalent as determined by the Executive Vice President and Provost.
- c. ~~Have received an SAT total score of 850 or greater.~~

IX-A-2 Approve the amendment to Board of Regents Policy RP-5.8.3. Tuition Scholarships for Non-Residents, Section 1. “Undergraduate”

**RP-5.8.3 Tuition Scholarships for Non-Residents**

1. Undergraduate

- a. Entering freshmen who ranked in the upper 25 percent of their high school class, or who scored 23 or more on the ACT, or the SAT equivalent as determined by the Executive Vice President and Provost; 970 or more on the SAT;

IX-A-3 Approve the amendment to Board of Regents Policy RP-5.8.4. Rules for Granting of Nonresident Tuition Scholarships to Children of Alumni of the University and SAT scores Section 3. “Waiver of Undergraduate Nonresident Tuition for Children of Alumni”

**RP-5.8.4 Rules for Granting of Nonresident Tuition Scholarships to Children of Alumni of the University**

3. Waiver of Undergraduate Nonresident Tuition for Children of Alumni

The nonresident portion of tuition may be fully or partially waived for any new undergraduate nonresident student of the University who is a child of an alumnus and who meets the eligibility standards established for each campus. Each campus chancellor is authorized to develop a Legacy Scholarship Program, subject to the following minimum standards.

- a. A student entering the University from high school must (i) rank in the upper one-third of his or her graduating class in high school, or (ii) have earned an ACT composite score of 24 or higher, or (iii) have earned an SAT equivalent total score ~~of 1100 or higher~~ as determined by the Executive Vice President and Provost.
- b. A student first entering the University as a transfer student must (i) rank in the upper one-third of his or her graduating class in high school, or (ii) have earned an ACT composite score of 24 or higher, or (iii) have earned an SAT equivalent total score ~~of 1100 or higher~~ as determined by the Executive Vice President and Provost, and the student must have achieved a cumulative graduate point average of 3.0 or better in all undergraduate coursework at all institutions of postsecondary education he or she has previously attended.

There was discussion

Action Student Opinion: Voting Aye: Hartman, Cloonan, Davlin, and Flaugh. Voting Aye: Phares, Pillen, Schafer, Schroeder, Whitehouse, Clare, Daub, and Hawks. Motion carried.

Motion Moved by Phares and seconded by Daub to approve item IX-A-4

IX-A-4 Approval is requested to establish the Eastern Nebraska Research and Extension Center (ENREC) at the current ARDC site near Mead, NE and to eliminate the formal center designations for the Northeast Research and Extension Center, Southeast Research and Extension Center, and the Agricultural Research and Development Center at UNL

Action Student Opinion: Voting Aye: Cloonan, Davlin, Flaugh, and Hartman. Voting Aye: Pillen, Schafer, Schroeder, Whitehouse, Clare, Daub, Hawks, and Phares. Motion carried.

Motion Moved by Phares and seconded by Daub to approve items IX-A-5 and IX-A-6

IX-A-5 Approval is requested to dissolve the Center for At Risk Children's Services in the Department of Special Education and Communication Disorders in the College of Education and Human Sciences at UNL

IX-A-6 Approval is requested to dissolve the National Center for Information Technology in Education in the Department of Computer Science and Engineering in the College of Arts and Sciences at UNL

There was discussion

Action Student Opinion: Voting Aye: Davlin, Flaugh, Hartman, and Cloonan. Voting Aye: Schafer, Schroeder, Whitehouse, Clare, Daub, Hawks, Phares, and Pillen. Motion carried.

Motion Moved by Hawks and seconded by Daub to approve items IX-A-7 and IX-A-8

IX-A-7 Approval is requested to create the Master of Health Professions Teaching and Technology (MHPTT) in the College of Allied Health Professions at UNMC Approval is requested to create the Health Professions Teaching and Technology Post-Baccalaureate Certificate in the College of Allied Health Professions at UNMC

- IX-A-8 Approval is requested to create the Health Professions Teaching and Technology (HPTT) Post-Baccalaureate Certificate in the College of Allied Health Professions at UNMC
- Action Student Opinion: Voting Aye: Flaugh, Hartman, Cloonan, and Davlin. Voting Aye: Schroeder, Whitehouse, Clare, Daub, Hawks, Phares, Pillen, and Schafer. Motion carried
- Motion Moved by Whitehouse and seconded by Schafer to approve items IX-A-9 and IX-A-10
- IX-A-9 Approval is requested to create the Master of Science in Computer Science Education (MS-CSE) in the Department of Computer Science in the College of Information Science and Technology at UNO
- IX-A-10 Approval is requested to create the Computer Science Education Graduate Certificate in the Department of Computer Science in the College of Information Science and Technology and in the Department of Teacher Education in the College of Education at UNO
- Action Student Opinion: Voting Aye: Hartman, Cloonan, Davlin, and Flaugh. Voting Aye: Whitehouse, Clare, Daub, Hawks, Phares, Pillen, Schafer, and Schroeder. Motion carried.
- Motion Moved by Pillen and seconded by Daub to approve item IX-A-11
- IX-A-11 Approval is requested to create a Tribal Management and Emergency Services Undergraduate Certificate in the School of Public Administration in the College of Public Affairs and Community Service at UNO
- Action Student Opinion: Voting Aye: Cloonan, Davlin, Flaugh, and Hartman. Voting Aye: Clare, Daub, Hawks, Phares, Pillen, Schafer, Schroeder, and Whitehouse. Motion carried.
- B. BUSINESS AFFAIRS**
- Motion Moved by Phares and seconded by Cloonan to approve item IX-B-1
- University of Nebraska
- IX-B-1 Approve the purchase of the SAP HANA database
- There was discussion
- Action Student Opinion: Voting Aye: Davlin, Flaugh, Hartman, and Cloonan. Voting Aye: Daub, Hawks, Phares, Pillen, Schafer, Schroeder, Whitehouse, and Clare. Motion carried.
- Motion Moved by Phares and seconded by Hawks to approve item IX-B-2
- IX-B-2 Approve budget for tenant finish and furnishings for the office space for the Buffett Early Childhood Institute
- There was discussion
- Action Student Opinion: Voting Aye: Flaugh, Hartman, Cloonan, and Davlin. Voting Aye: Hawks, Phares, Pillen, Schafer, Schroeder, Whitehouse, Clare, and Daub. Motion carried.
- Motion Moved by Clare and approved by Phares to approve item IX-B-3
- University of Nebraska Medical Center
- IX-B-3 Approve the purchase of real property located at 708 S. 42nd Street, Omaha, Nebraska
- There was discussion
- Action Student Opinion: Voting Aye: Hartman, Cloonan, Davlin, and Flaugh. Voting Aye: Phares, Pillen, Schafer, Schroeder, Whitehouse, Clare, Daub, and Hawks. Motion carried.



- Motion Moved by Clare and seconded by Phares to approve items IX-B-4 and IX-B-5
- IX-B-4 Approve the budget increase for the University of Nebraska Medical Center College of Nursing-Lincoln Division building project
- University of Nebraska-Lincoln
- IX-B-5 Approve the attached Resolution relating to the University of Nebraska-Lincoln student health center and the University of Nebraska Medical Center College of Nursing-Lincoln Division (UHC/CON Project) which (1) approves the issuance of not to exceed \$26,700,000 principal amount of UHC/CON Project Bonds, Series 2016 by The University Nebraska Facilities Corporation pursuant to a Bond Resolution, and (2) authorizes the execution and delivery of a Financing Agreement, a Continuing Disclosure undertaking, a Tax Compliance Agreement, an Inducement Letter and a Preliminary Official Statement in connection with the sale of such Bonds, (3) authorizes the sale of such Bonds at a negotiated sale pursuant to a Bond Purchase Agreement and authorizes the Senior Vice President | CFO to determine interest rates (not to exceed a true interest cost of 3%), principal amounts, principal maturities and redemption provisions of such Bonds, (4) approves the preparation and use of a final Official Statement.
- There was discussion
- Action Student Opinion: Voting Aye: Cloonan, Davlin, Flaugh, and Hartman. Voting Aye: Pillen, Schafer, Schroeder, Whitehouse, Clare, Daub, Hawks, and Phares. Motion carried.
- Motion Moved by Pillen and seconded by Hartman to approve items IX-B-6 and IX-B-7
- IX-B-6 Approve the attached Resolution to authorize expenditure of up to \$4,852,000 for capital improvements for the Campus Recreation, Nebraska Unions and University Housing facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds at the University of Nebraska-Lincoln
- IX-B-7 Approve the Resolution to authorize the expenditure of up to \$1,200,000 from the Replacement Fund of the UNL Parking Revenue Bonds to construct additional parking on East Campus and \$549,000 from the Replacement Fund of the UNL Parking Revenue Bonds to improve certain property and equipment
- There was discussion
- Action Student Opinion: Voting Aye: Davlin, Flaugh, Hartman, and Cloonan. Voting Aye: Schafer, Schroeder, Whitehouse, Clare, Daub, Hawks, Phares, and Pillen. Motion carried.
- Motion Moved by Whitehouse and seconded by Cloonan to approve item IX-B-8
- University of Nebraska at Omaha
- IX-B-8 Approve the expenditure of \$1.5 million in donor funds for construction and finishing of the UNO Academic Space in the University of Nebraska at Omaha Mixed-Use Housing Facility
- There was discussion
- Action Student Opinion: Voting Aye: Flaugh, Hartman, Cloonan, and Davlin. Voting Aye: Schroeder, Whitehouse, Clare, Daub, Hawks, Phares, Pillen, and Schafer. Motion carried.
- C. FOR INFORMATION ONLY**
- IX-C-1 University of Nebraska Strategic Planning Framework
- IX-C-2 University of Nebraska Strategic Framework Accountability Measures
- IX-C-3 Calendar of establishing and reporting accountability measures
- IX-C-4 University of Nebraska Strategic Dashboard Indicators
- IX-C-5 Board of Regents agenda items related to the University of Nebraska Strategic Framework

**D. REPORTS**

- IX-D-1 Personnel Reports for the period April 1 through June 30, 2016
- IX-D-2 Leaves of Absences approved during the period July 1, 2015 through June 30, 2016
- IX-D-3 Review of Multi-Departmental Academic Centers for Research, Teaching, and/or Service
- IX-D-4 Renaming the Information Assurance program (including the graduate degrees, undergraduate degrees, certificates, and course designations) to the Cybersecurity program in the School of Interdisciplinary Informatics in the College of Information Science and Technology at UNO
- IX-D-5 Renaming the School of Health, Physical Education and Recreation (HPER) to the School of Health and Kinesiology (HK) in the College of Education at UNO
- IX-D-6 Renaming the Department of Art and Art History to the Department of Art and Design in the College of Fine Arts and Humanities at UNK
- IX-D-7 Renaming the Department of Music and Performing Arts to the Department of Music, Theatre, and Dance in the College of Fine Arts and Humanities at UNK
- IX-D-8 Intermediate Design Report on UNMC Global Center for Advanced Interprofessional Learning
- IX-D-9 Status Report of Six-Year Capital Plan
- IX-D-10 Quarterly Status of Capital Construction Reports
- IX-D-11 Bids and Contracts Report
- IX-D-12 Semi-Annual Report of Licenses
- IX-D-13 Quarterly Report of Gifts, Grants, Contracts and Bequests
- IX-D-14 Report of Fund B University Program and Facilities Fees for University of Nebraska-Lincoln
- IX-D-15 Report of Acquisition of Land for the University of Nebraska at Omaha
- IX-D-16 Naming the University of Nebraska at Kearney Press Box in Cope Stadium the “Don Briggs Press Box”
- IX-D-17 Naming of rooms and spaces in the College of Law’s McCollum Hall in honor of the generous gifts bequeathed to the College of Law

Chairman Schroeder accepted the reports on behalf of the Board.

**X. ADDITIONAL BUSINESS**

None

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Schroeder at 11:22 a.m.

Respectfully submitted,

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Carmen K. Maurer  
Corporation Secretary

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Kent A. Schroeder  
Chairman of the Board