

January 13, 2001

Lincoln, Nebraska
January 13, 2001

The Board of Regents of the University of Nebraska met on January 13, 2001 at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. Section 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Daily Nebraskan, The Gateway, The Antelope, Kearney Hub and Omaha World Herald on January 2, 2001.

Regents present:

Don S. Blank
Randolph M. Ferlic
Chuck Hassebrook, Chair
Jay Matzke
Nancy L. O'Brien
Ryan Samuelson
Joel Schafer
Kent Schroeder
Charles S. Wilson, Vice Chair
Javine Winterboer

University officials present:

L. Dennis Smith, President
Lee B. Jones, Executive Vice President and Provost
Nancy Belck, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Gladys S. Johnston, Chancellor, UNK
Harvey S. Perlman, Interim Chancellor, UNL
John Owens, Vice President and Vice Chancellor for Agriculture and Natural Resources
Kim M. Robak, Vice President for External Affairs and Corporation Secretary
David Lechner, Vice President for Business and Finance
Richard R. Wood, Vice President and General Counsel

I. **CALL TO ORDER**

II. **ROLL CALL**

The Board convened at 8:30 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, Saturday, January 13, 2001. Attendance is indicated above. Regent Miller and Regent Marunda were absent.

Chairman Hassebrook announced that Regent Miller was prevented from attending the Board Meeting because of a cancellation of a Delta return plane trip on Friday night.

Chairman Hassebrook introduced and welcomed Regent Jay Matzke, Regent Randy Ferlic, and UNMC Student Regent Javine Winterboer to their first Board Meeting. Hassebrook also introduced and welcomed John Owens, Vice President and Vice Chancellor for Agriculture and Natural Resources to his first meeting.

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

Motion Moved by Schroeder and seconded by Matzke to approve the minutes and ratify the actions of the regularly scheduled meeting of December 9, 2000 and the emergency meeting of January 9, 2001.

Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: Ferlic, Hassebrook, Matzke, O'Brien, Schroeder, Wilson, and Blank. Voting Nay: None. Absent: Miller. Motion carried.

IV. **ELECTION OF OFFICERS**

Motion Moved by Schroeder and seconded by Blank to nominate Regent Wilson for the position of Chairman of the Board.

Nominations were closed.

Action Regent Wilson was elected as Chairman of the Board by Acclamation.

Chairman Wilson expressed his appreciation for the Board's confidence.

Motion Moved by O'Brien and seconded by Blank to nominate Regent Schroeder for the position of Vice Chairman of the Board.

Nominations were closed.

Action Regent Schroeder was elected as Vice Chairman of the Board by Acclamation.

Vice Chairman Schroeder thanked the Board.

Chairman Wilson thanked Regent Hassebrook for a job well done as Chairman and presented him with a gift.

Regent Hassebrook thanked everyone for their support and cooperation while he was Chairman of the Board.

Chairman Wilson welcomed back Rick Edwards, Senior Vice Chancellor for Academic Affairs, UNL.

V. **KUDOS**

Regent Schafer presented a KUDOS award to John Goldrich, Counselor in the Office of Counseling and Psychological Services at the University of Nebraska-Lincoln Health Center.

Regent Winterboer presented a KUDOS award to Amy Lamer, Coordinator in the Finance and Business Services Office at the University of Nebraska Medical Center.

Regent Samuelson presented a KUDOS award to Eve Scantling and Scott Unruh, who work in the Department of Health, Physical Education, and Recreation at the University of Nebraska at Kearney.

RESOLUTIONS

The Board of Regents accepted the following resolution presented by Regent Schroeder by Acclamation.

Whereas, Ryan Samuelson has served as a member of the University of Nebraska Board of Regents and Student Body President of the University of Nebraska at Kearney during the 2000-01 term; and

Whereas, Regent Samuelson has emphasized and elevated the importance of effective communication with his fellow students; and

Whereas, Regent Samuelson has guided the development of a website devoted to UNK students' interests; and

Whereas, Regent Samuelson and his cabinet re-established the Envoy program as a student communication and recruitment vehicle; and

Whereas, Regent Samuelson has served with diligence on both the Technology Advisory Committee and the Academic Computing Committee at UNK; and

Whereas, Regent Samuelson assisted in the planning process for the Nebraskan Student Union renovation project, for which ground was broken in December 2000;

Now, therefore, be it resolved, that the University of Nebraska Board of Regents congratulates Ryan Samuelson for his distinguished service as a Regent and for his leadership on the University of Nebraska at Kearney campus, and wishes him good fortune in all of his future endeavors.

Regent Samuelson expressed his thanks and appreciation of support during his time on the Board.

VI.

PUBLIC COMMENT

The following people spoke in regard to the Antelope Valley Project:

Terrence L. Kubicek,
Barbara Morly,
Ken Bordeaux,
Virgil Ments,
Barbara Bauer,
Phil Yoakum,
Edward H. Patterson, and
Glenn Cekal.

Mike Morosin spoke in regard to budget cuts.

Omid Zchtab spoke in regard to a proposal to split the Colleges of Arts & Sciences into two colleges at UNL.

VII.

HEARINGS

None.

The Board recessed at 9:30 a.m. and reconvened at 9:35 a.m.

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VIII. **COMMITTEE REPORTS**

Planning

Regent O'Brien reported that the committee met yesterday and heard the final report on the Fairfield Committee Report that was compiled by Ernst & Young. O'Brien stated that the Board needs to have a discussion about compensation packages during a closed session.

Academic Affairs

Chairman Wilson reported that the committee met yesterday and discussed a resolution in regard to core curriculum.

Motion Moved by Wilson and seconded by Blank to adopt the following resolution on Core Curriculum:

Whereas, a broad educational background is essential to understanding our natural world and our diverse global society, and

Whereas, the explosion of knowledge in recent decades can place enormous pressure on universities to develop curricula that concentrate on specialized, narrow disciplines early in the undergraduate experience, and

Whereas, specialization early in the educational process may limit productive and synergistic interaction with other disciplines and may inhibit the student's ability to adapt to rapid and dramatic change, and

Whereas, the University of Nebraska Board of Regents acknowledges that judgement regarding which learning objectives should be included in general education curricula is properly the responsibility of faculty, and

Whereas, the Board of Regents nevertheless wishes to support, in principle, the requirement for strong undergraduate core curricula;

Now, therefore, be it resolved, that the University of Nebraska Board of Regents strongly reaffirms its support for the development and enhancement of general education requirements and applauds campus efforts in this important area of instruction. The Board especially encourages general education requirements which enhance the ability of students in all disciplines to read critically, think analytically and creatively, and communicate clearly in both written and oral expression.

Discussion was held.

Action Student Opinion: Aye: Schafer, Winterboer, and Samuelson. Absent: Marunda. Voting Aye: Hassebrook, Matzke, O'Brien, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Absent: Miller. Resolution carried.

Chairman Wilson asked the Chancellors to make sure the Resolution is directed to the appropriate entities and faculty that understand the Board's sense of commitment on this issue.

Athletic

Regent Blank reported that the committee met yesterday and discussed the increasingly high cost of inter-collegiate athletics, looking for possible solutions, particularly at the NCAA level. There will be an on-going discussion on this subject.

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Chairman Wilson accepted the reports.

IX. **STRATEGIC OR POLICY ISSUE**

None.

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

President Smith spoke in regard to a series of four articles that recently ran in the Omaha World Herald. Smith stated the essence of the stories, if read in the entirety, is probably factually correct. Smith objected to the headlines and the sensationalism associated with the headlines. Smith stated that UNL is not a mediocre university; it is a very good university that could be better, but said that UNL is in a competitive environment. President Smith asked Chancellor Perlman speak to the issues raised by the articles.

Chancellor Perlman stated he had a few quibbles with the specifics of the articles, but the articles themselves presented a relatively balanced view of the university that is not reflected in the headlines and the graphics associated with the articles. Perlman stated that the World-Herald reporters did a very professional job and worked hard to find out about our university. Perlman stated the articles recognized 1) the progress UNL has made over the past several years; 2) the role of the university as a research university; and 3) the importance of UNL for the economic development of the state and of the city of Omaha.

Chancellor Perlman asked three things of the Board of Regents in terms of responding to the issues the Omaha World Herald raised. Perlman asked the Board for their help over the next couple of years to communicate to the people of Nebraska not only what a research university is and what is required to make it great, but its importance to the future of the economy of the State of Nebraska. Second, Perlman acknowledged that the Board ought to hold the administration and the faculty of the UNL campus accountable for increasing the quality of the university. Perlman asked that the standards that the Board utilized would be ones that were realistically associated with quality, not the U.S. News and World Report Survey. Third, Perlman asked when assessing UNL's progress that the Board be patient. Perlman stated that universities do not change overnight or by the year. Perlman stated that UNL senses the urgency of the efforts, but maintained that progress needs to be steady to be sustainable.

Discussion was held.

A. **CONSENT**

Motion Moved by O'Brien and seconded by Matzke to approve X-A-1.

X-A-1 **PERSONNEL**

University of Nebraska at Kearney

Leave of Absence

Aga, Diana, Assistant Professor (Specific), Chemistry, Leave of Absence without pay, effective 01/15/01 to 12/21/01, \$38,010 AY salary, 1.00 FTE.

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University of Nebraska-Lincoln

Leave of Absence

Steven A. Egglund, Professor (Continuous), Educational Administration; Leave of Absence without pay effective 02/01/01 to 05/11/01, \$77,775 AY current salary, 1.00 FTE.

Maher K. Tadros, Professor (Continuous), Construction Systems Technology, Chair (Special) Construction Systems Technology, Professorship (Special) Diamond Professor of Engineering; Leave of Absence with pay effective 01/01/01 to 06/30/01, \$154,497 FY current salary, 1.00 FTE.

University of Nebraska at Omaha

Recommendation

David W. Hinton, Lee and Willa Seemann Distinguished Dean (Special), College of Information Science and Technology and Professor (Continuous), Public Administration; effective 01/15/2001, \$155,480 FY (includes \$19,500 administrative stipend), 1.00 FTE.

Action Student Opinion: Aye: Winterboer, Samuelson, and Schafer. Absent: Marunda. Voting Aye: Matzke, O'Brien, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Absent: Miller. Motion carried.

B. ACADEMIC

Motion Moved by Matzke and seconded by Hassebrook to approve X-B-1.

X-B-1 Approve the request for outside employment at the University of Nebraska at Omaha for Gary Day, Joanne Sowell, and Frances Thurber.

Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Matzke. Voting Nay: None. Absent: Miller. Motion carried.

Motion Moved by Samuelson and seconded by Matzke to approve X-B-2.

X-B-2 Approve continuation of the Bachelor of Arts degree (which includes the Studio and Art History Option) at the University of Nebraska at Kearney and forward the associated in-depth program review report to the Nebraska Coordinating Commission for Postsecondary Education.

Discussion was held.

Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Matzke. Voting Nay: None. Absent: Miller. Motion carried.

C. BUSINESS

Motion Moved by Hassebrook and seconded by Ferlic to approve X-C-1.

X-C-1 Approve a clarification of the Regents' policy for approval of future uses of income from the Othmer-Topp Endowment.

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- Action Student Opinion: Aye: Schafer, Winterboer, and Samuelson. Absent: Marunda. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Matzke, and O'Brien. Voting Nay: None. Absent: Miller. Motion carried.
- Motion Moved by Blank and seconded by O'Brien to approve X-C-2.
- X-C-2 Approve proposed uses of income flowing to the University of Nebraska-Lincoln from the Othmer-Topp Endowment Fund.
- Discussion was held.
- Action Student Opinion: Aye: Winterboer, Samuelson, and Schafer. Absent: Marunda. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Matzke, O'Brien, and Schroeder. Voting Nay: None. Absent: Miller. Motion carried.
- Motion Moved by Schroeder and seconded by Schafer to approve X-C-3.
- X-C-3 Approve the Resolution (1) authorizing the President to execute Exhibit "B" to the Interlocal Cooperation Agreement for the Implementation Period of Phase One of the Antelope Valley Improvement Project, and (2) authorizing the President to execute deeds and other instruments for the transfer of University real property needed for use in Phase One of the Antelope Valley Improvement Project.
- Discussion was held.
- Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: Blank, Ferlic, Hassebrook, Matzke, O'Brien, Schroeder, and Wilson. Voting Nay: None. Absent: Miller. Motion carried.
- Motion Moved by Blank and seconded by Schafer to approve X-C-4.
- X-C-4 Approve the firm of Alley Poyner Architecture to provide design services for the Avery Hall Renovation.
- Discussion was held.
- Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: Ferlic, Hassebrook, Matzke, O'Brien, Schroeder, Wilson, and Blank. Voting Nay: None. Absent: Miller. Motion carried.
- Motion Moved by Samuelson and seconded by Winterboer to approve X-C-5.
- X-C-5 Approve project budget in the amount of \$2,306,362 for the Sheldon Memorial Art Gallery Mechanical Upgrade and Vapor Barrier Study.
- Discussion was held.
- Action Student Opinion: Aye: Schafer, Winterboer, and Samuelson. Absent: Marunda. Voting Aye: Hassebrook, Matzke, O'Brien, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Absent: Miller. Motion carried.
- Motion Moved by Schroeder and seconded by Schafer to approve X-C-6.
- X-C-6 Approve Double Occupancy Room and Board Rates for the 2001-2002 Academic Year and authorize the Chancellor to increase first year contract rates, if necessary, to fund projected energy cost increases.

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Discussion was held.

Action Student Opinion: Aye: Winterboer, Samuelson, and Schafer. Absent: Marunda. Voting Aye: Matzke, O'Brien, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Absent: Miller. Motion carried.

Motion Moved by O'Brien and seconded by Winterboer to approve X-C-7.

X-C-7 Approve the Program Statement and a project budget of \$19,257,000 for the design and construction of a new parking structure on the University of Nebraska Medical Center campus in Omaha, Nebraska.

Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Matzke. Voting Nay: None. Absent: Miller. Motion carried.

Additional Item – Central Administration

Motion Moved by Blank and seconded by Matzke to approve X-C-8.

X-C-8 Approve the Budget Deficit Request and forward the request to the Governor for consideration.

Discussion was held.

Action Student Opinion: Aye: Samuelson, Schafer, and Winterboer. Absent: Marunda. Voting Aye: O'Brien, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Matzke. Voting Nay: None. Absent: Miller. Motion carried.

D. FOR INFORMATION ONLY

None.

E. REPORTS

X-E-1 Tenure Density report.

X-E-2 University of Nebraska Financial Statements for the year ended June 30, 2000.

X-E-3 Schematic Design Report for Hamilton Hall Infrastructure Upgrade.

X-E-4 Schematic Design Report for the Mary Riepma Ross Film Theater and Van Brunt Visitors Center.

X-E-5 Bids and Contracts report.

Chairman Wilson accepted the reports.

XI. ADDITIONAL BUSINESS

Chairman Wilson announced that the Strategic Issues for the year 2001 and the Committee Assignments for 2001 have been set. Copies were passed out at the meeting. (See document file)

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CLOSED SESSION

Motion Moved by Blank and seconded by Schafer that the Board of Regents go into closed session as authorized by Section 84-1410 of the Revised Statutes of Nebraska for the protection of the public interest, and to prevent needless injury to the reputation of individuals who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

1. Consideration of the award of honorary degrees;
2. Evaluation of University administrative personnel;
3. A report of investigation on a personnel matter pursuant to subsection (b)(3) of Section 4.14.2 of the *Bylaws of the Board of Regents of the University of Nebraska*; and
4. A strategy session with respect to threatened litigation against the University.

Action Student Opinion: Aye: Schafer, Winterboer, and Samuelson. Absent: Marunda. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Matzke, and O'Brien. Voting Nay: None. Absent: Miller. Motion carried.

The Board went into closed session at 10:25 a.m. and reconvened the open meeting at 12:05 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:05 p.m.

Respectfully submitted,

Kim M. Robak
Corporation Secretary

Charles S. Wilson
Chair of the Board