

July 28, 2001

Lincoln, Nebraska
July 28, 2001

The Board of Regents of the University of Nebraska met on July 28, 2001 at 9:00 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 July 16, 2001.

Regents present:

Don S. Blank
Randolph M. Ferlic
Nathan Fuerst
Chuck Hasebrook
Jay Matzke
Drew Miller
Nancy L. O'Brien
Mallory Prucha
Ryan Samuelson
Kent Schroeder, Vice Chair
Charles S. Wilson, Chair

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, 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 9:00 a.m. in the Conference Room at Valmont Industries, 75 South Highway 83, McCook, Nebraska, Saturday, July 28, 2001. Attendance is indicated above. Regent Winterboer was absent.

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

Motion Moved by Miller and seconded by Ferlic to approve the minutes and ratify the actions of the regularly scheduled meeting of June 23, 2001.

July 28, 2001

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

Chairman Wilson introduced and welcomed University of Nebraska Medical Center Faculty Senate President Terry Hexum.

IV. **KUDOS**

None.

RESOLUTIONS

Regent Samuelson presented the following Resolution that was adopted by Acclamation.

WHEREAS, the University of Nebraska at Kearney became part of the University of Nebraska on July 1, 1991, through action of the Nebraska State Legislature; and

WHEREAS, the University of Nebraska at Kearney was chartered in 1903 as the Nebraska State Normal School and became the Nebraska State Teachers College in 1921, then Kearney State College in 1963; and

WHEREAS, the University of Nebraska at Kearney will soon celebrate the 100th anniversary of its chartering in 2003; and

WHEREAS, the University of Nebraska at Kearney has enriched the educational opportunities available to Nebraskans throughout the university; and

WHEREAS, the University of Nebraska at Kearney fills a unique niche as the public residential campus for undergraduate education and selected graduate programs in the state of Nebraska; and

WHEREAS, the University of Nebraska at Kearney's faculty exhibit true dedication to their teaching responsibilities while enhancing their expertise through research and scholarly productivity; and

WHEREAS, the University of Nebraska at Kearney's students bring excitement and energy to the campus as they grow intellectually and socially through on-campus involvement; and

WHEREAS, the University of Nebraska at Kearney's undergraduate research program has become a national model and its students enjoy a technology-rich learning environment in an academic setting;

NOW, THEREFORE, BE IT RESOLVED, that the University of Nebraska Board of Regents congratulate the University of Nebraska at Kearney faculty and staff on their tenth anniversary of being part of the University of Nebraska and for their many outstanding achievements in the last century.

Chairman Wilson stated that the addition of the University of Nebraska at Kearney was an excellent addition for the University of Nebraska and for the citizens of the State of Nebraska.

V. **STRATEGIC OR POLICY ISSUE**

Dr. Lee Jones introduced the topic of distance education. A distance education council had been recently formed including all four campuses. The members of the council were present for the discussion. Royce Ballinger, Assistant Executive Vice President and

July 28, 2001

Provost, made a presentation, which included a video and PowerPoint presentation. The other members of the council were available for questions and discussion. The members were as follows:

Barbara Audley, Dean, Division of Continuing Education, UNK;

John Fiene, Assistant Vice Chancellor for Technology, UNO;

Arnold Bateman, Assistant Vice Chancellor for Extended Education, UNL; and

Carol Pullen, Associate Professor and Assistant Dean, College of Nursing, UNMC.

Discussion was held.

Keith Blackledge, North Platte Learning Center, talked regarding the importance of the learning centers in Nebraska.

More discussion was held.

The Board recessed at 10:20 a.m. and reconvened at 10:25 a.m.

VI. **HEARINGS**

A hearing on the following item was opened by the Chair.

There were no public comments regarding the proposed amendments to the *Bylaws of the University of Nebraska-Lincoln*. Addendum IX-A-2.

Chairman Wilson closed the hearing.

VII. **PUBLIC COMMENT**

None.

VIII. **COMMITTEE REPORTS**

General Affairs

Regent Wilson reported that the General Affairs Committee met on Friday and discussed the topic of English as a Second Language.

IX. **UNIVERSITY CONSENT AGENDA**

Regent O'Brien requested that Item IX-A-10 be removed from Consent Agenda and be voted on separately.

Motion Moved by Samuelson and seconded by Blank to approve items IX-A-1, IX-A-2, IX-A-3, IX-A-4, IX-A-5, IX-A-6, IX-A-7, IX-A-8, IX-A-9, IX-A-11, IX-A-12, IX-B-1, IX-B-2, IX-B-3, and IX-B-4.

A. ACADEMIC

IX-A-1 President's Personnel Recommendations.

University of Nebraska at Kearney

Leave of Absence

Schneider, Steven, Associate Professor (Specific), English, Leave of Absence without pay, effective 08/20/01 to 05/17/02, \$47,774 AY salary, 1.00 FTE.

University of Nebraska-Lincoln

Leaves of Absence

Elizabeth P. Davis, Associate Professor (Continuous), Family and Consumer Science; leave without pay effective 08/20/01 to 02/20/02, \$44,637 AY current salary, 1.00 FTE.

Douglas R. May, Associate Professor (Continuous), Management; leave without pay effective 08/20/01 to 01/06/02, \$82,233 AY current salary, 1.00 FTE.

Gustavo L. Paz, Assistant Professor (Continuous), History/Ethnic Studies; leave with 10% pay effective 08/20/01 to 01/06/02. \$45,000 AY current salary, 1.00 FTE.

Karl Reinhard, Associate Professor (Continuous), School of Natural Resources; extended leave with 50% pay effective 08/20/01 to 09/14/01, \$43,402 AY current salary, 1.00 FTE.

University of Nebraska Medical Center

Adjustment

Thomas H. Rosenquist, Interim Vice Chancellor for Research (Special), Chancellor's Office; Professor (Continuous), Chairperson (Special), and Ardith and Anna Von Housen Chair (Special), Cell Biology and Anatomy; Professor (Courtesy), Pathology and Microbiology; and Professor (Courtesy), Pediatrics; effective 08/1/01, \$192,932 FY (includes \$15,000 temporary and annual administrative stipend for Interim Vice Chancellor duties and \$5,000 annual administrative stipend for Chairperson duties), 1.00 FTE. Delete title of Director of Research Development, and add title of Interim Vice Chancellor for Research. (No change in salary.) (Expiration date of named professorship is 03/30/03.)

Institute of Agriculture and Natural Resources

New Appointment

Charles W. Laughlin, Interim Associate Vice Chancellor for the Institute of Agriculture and Natural Resources, University of Nebraska-Lincoln (Special), effective 08/15/01, \$159,650 FY, 1.00 FTE.

Leave of Absence

Drew Lyon, Associate Professor (Continuous), Agronomy (Panhandle Research and Extension Center); Faculty Development Fellowship with full pay effective 12/01/01 to 05/31/02, \$65,814 FY current salary, 1.00 FTE.

- IX-A-2 Approve the proposed amendments to the *Bylaws of the University of Nebraska-Lincoln*.
- IX-A-3 Request for approval to award Degrees and Certificates for the 2001-2002 academic year and 2002 summer sessions at the University of Nebraska at Kearney.
- IX-A-4 Request for approval to award Degrees and Certificates for the 2001-2002 academic year and 2002 summer sessions at the University of Nebraska-Lincoln.
- IX-A-5 Request for approval to award Degrees and Certificates for the 2001-2002 academic year and 2002 summer sessions at the University of Nebraska Medical Center.

July 28, 2001

- IX-A-6 Request for approval to award Degrees and Certificates for the 2001-2002 academic year and 2002 summer sessions at the University of Nebraska at Omaha.
- IX-A-7 Approve the discontinuance of the University of Nebraska at Kearney Master of Science in Education degree in Business and Technology Education at the University of Nebraska at Kearney.
- IX-A-8 Approve the consolidation of the existing masters degrees (Master of Science with a major in Behavioral Disorders, Master of Arts with a major in Mental Retardation, Master of Science with a major in Resource Teaching & Learning, Master of Science with a major in Teaching the Hearing Impaired, Master of Science with a major in Teaching the Mentally Retarded) into a single degree entitled Master of Science with a major in Special Education at the University of Nebraska at Omaha.
- IX-A-9 Approve the re-organization of Teachers College through the transfer of programs from the Department of Vocational and Adult Education to other departments in the College and eliminate the Department of Vocational and Adult Education (DVAE) at the University of Nebraska-Lincoln.
- IX-A-11 Approve establishment of the National Center for Information Technology in Education at the University of Nebraska at Lincoln.
- IX-A-12 Approve the request for outside employment at the University of Nebraska Medical Center for Phyllis I. Warkentin, M.D.

B. BUSINESS

University of Nebraska Medical Center

- IX-B-1 Authorize the purchase of real estate at 40th and Leavenworth Street.
- IX-B-2 Authorize the University of Nebraska Medical Center to acquire an easement from Metro Health Services Federal Credit Union.

University of Nebraska at Omaha

- IX-B-3 Accept the gift of computer equipment from the University of Nebraska Foundation to be used for the benefit of The Peter Kiewit Institute for Information Science, Technology and Engineering (IST&E) in the total amount of approximately \$1.2 million.
- IX-B-4 Approve agreements with The Pepsi Bottling Group, which will provide among other terms that Pepsi is the “Official Soft Drink of the Mavericks” and that Pepsi products will be poured exclusively at University of Nebraska at Omaha facilities for a ten-year period.

Regent Hassebrook asked Chancellor Perlman if the changes in the responsibilities of the Senior Vice Chancellor for Academic Affairs set forth in item IX-A-2, Section 1.5.1 of the UNL Bylaws, in anyway affect or diminish the role of the Vice Chancellor for Agriculture and Natural Resources in providing leadership in agricultural programs. Perlman stated that they do not.

Discussion was held.

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

July 28, 2001

Regent Hassebrook pointed out that the NCITE had been approved on the consent agenda. Hassebrook stated that this item related to the discussion during the strategic issue and stressed how important it was to create a program specifically focused on technology and education.

Motion Moved by Blank and seconded by Samuelson to approve item IX-A-10.

IX-A-10 Approve the policy on ownership of Intellectual Property. (RP-4.4.1)

Discussion was held.

Regent O'Brien asked that Deans and Directors be trained in how to implement the policy.

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

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. **ACADEMIC**

None.

B. **BUSINESS**

University of Nebraska-Lincoln

Motion Moved by Miller and seconded by O'Brien to approve items X-B-1.

X-B-1 Approve a three part set of agreements with ALLTEL Corporation which will provide among other terms, that ALLTEL is the "Official Telecommunications Sponsor" of the intercollegiate athletic programs of the University of Nebraska-Lincoln.

Discussion was held.

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

University of Nebraska Medical Center

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

X-B-2 Approve the Bond Resolution by the University Nebraska Facilities Corporation (1) authorizing the issuance of not to exceed \$60,000,000 principal amount of The University of Nebraska Facilities Corporation Series 2001 Bonds (University of Nebraska-Medical Center Research Center and Parking Structure Project), (2) approving and authorizing the execution and delivery of (a) an Agreement among the Board, The University of Nebraska Facilities Corporation and the University of Nebraska Foundation, and (b) a Continuing Disclosure Agreement, in connection with such Series 2001 Bonds, (3) authorizing the sale of such Series 2001 Bonds at a public sale or at a negotiated sale as determined by the Vice President for Business and Finance, approving a Notice of Sale, a Bond Purchase Agreement, a Letter of Representations, and the Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average interest rate of 6.50%), underwriting discount (not to exceed 1.5%, principal amounts, principal maturities and redemption provisions of such Series 2001 Bonds, and (4) approving the preparation and use of a final Official Statement.

Discussion was held.

July 28, 2001

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

C. FOR INFORMATION ONLY

None.

D. REPORTS

X-D-1 Report of Continuous & Promotion appointments and a listing of salaries for academic and administrative personnel with the rank of Assistant Professor or equivalent and above for the academic and fiscal years 2001-2002.

X-D-2 Bids and Contracts for the period ended July 6, 2001.

Regent Schroeder requested that there be a total dollar amount at the end of each campus/department on the personnel report to show the total amount of money spent on raises for Assistant Professors or equivalent and above.

Chairman Wilson accepted the reports.

XI. ADDITIONAL BUSINESS

CLOSED SESSION

Motion Moved by Blank and seconded by Samuelson 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 strategy with respect to litigation involving the University.

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

The Board went into closed session at 11:00 a.m. and reconvened the open meeting at 11:40 a.m.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:41 a.m.

Respectfully submitted,

Kim M. Robak
Corporation Secretary

Charles S. Wilson
Chair of the Board