

June 10, 2005

Lincoln, Nebraska  
June 10, 2005

The Board of Regents of the University of Nebraska met on June 10, 2005, 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, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on May 31, 2005 and an amended notice was posted on June 7, 2005.

Regents present:  
Howard Hawks, Chairman  
Randolph M. Ferlic  
Chuck Hassebrook  
C. David Hergert  
Jim McClurg  
Drew Miller, Vice Chair  
Kent Schroeder  
Charles S. Wilson  
Omaid Zabih  
Elizabeth Kraemer  
Nicholas Behrendt  
Brad Bohn

University officials present:  
James B. Milliken, President  
Jay Noren, Executive Vice President and Provost  
Nancy Belck, Chancellor, UNO  
Harold Maurer, Chancellor, UNMC  
Douglas A. Kristensen, Chancellor, UNK  
Harvey S. Perlman, Chancellor, UNL  
John Owens, Vice President for Agriculture and Natural Resources  
Donal J. Burns, Corporation Secretary and Associate Executive Vice President and

Provost

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 8:40 a.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, June 10, 2005. Attendance is indicated above.

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

Motion Moved by McClurg and seconded by Miller to approve the minutes and ratify the actions of the regularly scheduled meetings of April 15, 2005 and May 26, 2005.

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Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

IV. Regent Hawks introduced and welcomed new Faculty Senate Presidents; Professor Mary M. Beck, UNL; Professor Hollis Glaser, UNO; Professor Martha J. Kruse, UNK; and Professor Warren G. Sanger, UNMC.

#### **KUDOS**

**Regent Bohn presented a KUDOS award to Camilla Wacker, UNK**

**Regent McClurg presented a KUDOS award to Daniel B. Floyd and Sue E. Ostrander, UNL.**

**Regent Wilson presented a KUDOS award to David K. Peterson, UNL.**

#### **RESOLUTIONS**

None.

V. **STRATEGIC OR POLICY ISSUE**

None.

VI. **HEARINGS**

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

Approve amendment of Section 3.12.4.3(a) of the Bylaws of the Board of Regents of the University of Nebraska relating to increasing the University's portion of the Retirement Plan contribution.

Chairman Hawks closed the hearing.

VII. **PUBLIC COMMENT**

None.

VIII. **COMMITTEE REPORTS**

##### Audit Committee

The Audit Committee met on Thursday afternoon with the Board of Regents auditors and a representative from the State Auditor's office. The topics of discussion were audit plans for upcoming year and implementation of a new internal audit strategy.

##### Academic Affairs

The Academic Affairs committee met on Friday morning and the topic of discussion was Enrollment Strategies.

IX. **UNIVERSITY CONSENT AGENDA**

Regent Hawks asked that item IX-B-2 be removed from the Consent Agenda.

Motion Moved by Wilson and seconded Ferlic to approve items IX-A-1, IX-A-2, IX-A-3,

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IX-A-4, IX-A-5, IX-A-6, IX-A-7, IX-B-1, IX-B-3, IX-B-4, IX-B-5, AND IX-B-6.

**A. ACADEMIC**

**IX-A-1 Central Administration**

New Appointment

Peter G. Kotsiopoulos, Vice President, University Affairs (Special), effective 07-01-05, salary \$160,000, 1.00 FY.

**University of Nebraska at Kearney**

New Appointment

Bruce A. Forster, Dean (Special), College of Business and Technology and Professor of Economics (Continuous), effective 07-11-05, salary \$121,000 FY plus \$10,000 for the John Becker Endowed Professorship stipend, 1.00 FTE.

Adjustments

William E. Jurma, Dean (Special), College of Fine Arts and Humanities and Professor of Communication (Continuous), effective 07-01-05, salary \$105,500 FY, 1.00 FTE. Change title from Interim Dean (Special), College of Fine Arts and Humanities, and salary from \$93,485 FY.

**University of Nebraska-Lincoln**

Leaves of Absence

Katherine S. Ankersen, Associate Professor (Continuous), Architecture; Faculty Development Fellowship with full pay effective 08-15-05 through 01-01-06, \$60,193 AY, 1.00 FTE.

Eveline Baesu, Associate Professor (Continuous), Engineering Mechanics; Faculty Development Fellowship with 1/2 pay effective 08-15-05 through 5-12-06, \$73,226 AY, 1.00 FTE.

Anita Breckbill, Professor (Continuous), Libraries; Faculty Development Fellowship with full pay effective 02-01-06 through 07-01-06, \$60,341 FY, 1.00 FTE.

Leon Caldwell, Associate Professor (Continuous), Educational Psychology; leave without pay 08-15-05 through 05-12-06, \$56,082 AY, 1.00 FTE.

Lilyan E. Fulginiti, Professor (Continuous), Agricultural Economics; Faculty Development Fellowship with full pay effective 01-02-06 through 05-12-06, \$100,071 AY, 1.00 FTE.

George P. Henze, Associate Professor (Continuous), Architectural Engineering; Faculty Development Fellowship with half pay effective 08-15-05 through 05-12-06, \$84,974 AY, 1.00 FTE.

Brian D. Humes, Associate Professor (Continuous), Political Science; leave without pay effective 8-15-05 through 5-12-06, \$57,755 AY, 1.00 FTE.

Margaret Jacobs, Associate Professor (Continuous), History; leave with 56% pay effective 08-15-05 through 05-12-06, \$58,500 AY, 1.00 FTE.

Gail F.Latta, Professor (Continuous), Libraries; Faculty Development Fellowship with half pay effective 7-1-05 through 6-30-06, \$67,929 FY, 1.00 FTE.

Timothy R. Mahoney, Professor (Continuous), History, leave with 60% pay effective 08-15-05 through 05-12- 06, \$79,106 AY, 1.00 FTE.

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Ann Mari May, Associate Professor (Continuous), Economics, leave without pay effective 08-15-05 through 05-12-06, \$77,488 AY, 1.00 FTE.

Richard K. Perrin, Professor (Continuous), Agricultural Economics; Faculty Development Fellowship with full pay effective 01-02-06 through 05-12-06, \$125,138 AY, 1.00 FTE.

Benjamin Rader, Professor (Continuous), History; leave without pay effective 8-15-05 through 01-01-06, \$104,656 AY, 1.00 FTE.

Peter Revesz, Professor (Continuous), Computer Science and Engineering; Faculty Development Fellowship with half pay effective 08-15-05 through 05-12-06, \$90,211, AY, 1.00 FTE.

Donald F. Uerling, (Continuous), Educational Administration; Faculty Development Fellowship with half pay effective 08-15-05 through 05-12-06, \$75,198 AY, 1.00 FTE.

### **University of Nebraska at Omaha**

#### Adjustment

Robert W. Welk, Dean (Special), College of Communication, Fine Arts and Media; effective 07-01-05 to 06-30-06, \$131,509 FY (includes \$10,000 administrative stipend), 1.00 FTE. Change title from Interim Dean, College of Fine Arts, add annual 4% increase in salary from \$116,836, and add \$10,000 administrative stipend. (As Interim Dean did not receive administrative stipend.)

- IX-A-2 Approve the name change from the Department of Theatre Arts to The Johnny Carson School of Theatre and Film at the University of Nebraska-Lincoln.
- IX-A-3 Approve the merging of the Department of Dental Practice Management into the Departments of Oral Biology and Adult Restorative Dentistry at the University of Nebraska Medical Center College of Dentistry.
- IX-A-4 Approve the Amended Constitution and Bylaws of the University of Nebraska at Kearney College of Education.
- IX-A-5 Approve recommendations relating to academic program reviews required by the NCCPE and approve the forwarding of the program review reports to the NCCPE.
- IX-A-6 Approve UNL campus policy on proceeds distribution applicable to royalties and proceeds resulting from the licensing and other technology transfer activities.
- IX-A-7 Approve the request for outside employment at the University of Nebraska Medical Center.

### **B. BUSINESS**

#### University of Nebraska-Lincoln

- IX-B-1 Accept a gift from the University of Nebraska Foundation of a parcel of land located at 33rd and Holdrege Streets.
- IX-B-3 Approve the Renovation of UNL General Purpose Classrooms.
- IX-B-4 Approve conveyance of a tract of land to the City of Lincoln for Leighton Street right-of-way.
- IX-B-5 Approve the UNL East Campus Huntington-Leighton Trail Project.
- IX-B-6 Delegate authority to the Chairman of the Board of Regents to appoint the Regents' member to the Nebraska Innovation Zone Commission established pursuant to the Nebraska Opportunity Zone Act

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- Action Student Opinion: Aye: Zabih, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.
- IX-B-2 Approve the UNL Campus Recreation Renovation of Tennis Courts, Basketball Courts and Sand Volleyball Courts on East Campus and at 14th and Avery on City campus.
- Motion Moved by Hawks and seconded by Schroeder to approve item IX-B-2.
- Action Student Opinion: Aye: Zabih, Behrendt, Bohn, and Kraemer. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, and Hassebrook. Voting Nay: None. Motion carried.

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. **ACADEMIC**

- Motion Moved by Miller and seconded Ferlic to approve item X-A-1.
- X-A-1 Approve a new, short-term Agreement between Iowa State University and the University of Nebraska for a Student Contract Program in Veterinary Medical Education.
- There was discussion.
- Action Student Opinion: Aye: Bohn, Kraemer, Zabih, and Behrendt. Voting Aye: Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.
- Motion Moved by Wilson and seconded by Ferlic to approve amended item X-A-2.
- X-A-2 Approve amendment of Regents' Policy RP-5.7.4 and RP-5.7.5 of the *Board of Regents' Policies of the University of Nebraska* revising Tuition Level Guidelines and Tuition Policy.

**RP-5.7.4 Tuition Level Guidelines**

Guidelines for setting tuition levels throughout the University include

1. Tuition increases are to be considered when increases in educational costs justify such an increase or to address specific educational initiatives.
2. Tuition levels in the University of Nebraska should balance educational quality with access.
3. The tuition increase rates should take into account existing tuition levels and proposed increases at peer universities, including those of regional institutions.
4. Graduate tuition level should ordinarily be greater than undergraduate tuition level. Tuition rates should be set equitably among undergraduate, graduate, and professional students. Current policy that the graduate tuition level be at least 25% greater than the undergraduate level should continue.
5. The State of Nebraska should strive to maintain a reasonable share of the cost of education for all students its current share of approximately 65%-70% of the cost of education for in-state undergraduate students. The student's share of the cost of education should be comparable to that of peer institutions.
6. Every effort should be made to ensure that need-based financial aid continues to be available as tuition is increased.
7. Ordinarily Nonresident students should pay a larger share of instructional costs than resident students, unless they are part of special programs such as the Midwest Compact program or a tuition waiver program.
8. Tuition levels should also take into account the need for access to members of underrepresented racial/ethnic groups to enhance the cultural diversity of the University.
9. Tuition levels reflect the missions of the campuses.
10. Differential Tuition Rates: the President may establish a procedure by which the campuses may vary the rate of tuition from that established by the Board. The purpose of such variable rates would be to achieve University goals and objectives. The principles guiding any tuition differential rates shall be as follows:

- a) Differential tuition rates should take into consideration the goals of tuition policy, educational objectives, efficient use of University resources, entrepreneurial opportunities, and competitive challenges.
- b) Tuition differentials, if any, should be reasonably transparent so that individual students can make informed choices.
- c) Following each semester and summer session, the Board of Regents will be provided a report on the variances granted to the Board approved rates and the impact of those actions, including any impact on access.
- d) Any proposal for a variance should state the specific purpose to be achieved and the means for measuring its effectiveness.
- e) All programs with differential tuition rates will adhere to the University's tuition policy guidelines

#### **RP-5.7.5 Tuition Policy**

Tuition at the University of Nebraska should be set at a level that: (1) helps sustain and improve the quality of the University, (2) maintains access on the basis of academic qualifications rather than ability to pay, and (3) establishes a fair balance between student contributions to the cost of education and taxpayer support for the State's public university.

The University's budget for academic programs and other activities is supported by State tax revenues and tuition ~~in a 3:1 ratio system-wide~~. Because of this relationship, tax support for the University directly affects tuition rates. Accordingly, the administration and the Board of Regents must carefully consider variations in general fund support when setting tuition.

The administration and the Board of Regents shall consider the general financial capabilities of Nebraska students and parents. The University should endeavor to keep tuition at a level that ensures access and affordability. Students should not be prohibited from attending the State's only public university because of inability to pay. Accordingly, the University shall increase the availability of financial aid based on financial need and academic merit through tuition and other revenue sources.

There was discussion.

Action Student Opinion: Aye: Zabih, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

Motion Moved by Miller and seconded by Schroeder to approve item X-A-3.

X-A-3 Approve extension of the UNO PreK-16 Initiative Dual Enrollment Pilot to other Metropolitan Omaha Educational Consortium (MOEC) School Districts electing to participate.

There was discussion.

Friendly Amendment: Regent Wilson offered a friendly amendment, which was accepted, to amend the last paragraph of the item to read "...it is proposed to extend the expanded UNO pilot for an additional year through December of 2006 with a full report to the Board during the October 2006 meeting".

There was discussion.

Action Student Opinion: Aye: Kraemer, Zabih, Behrendt, and Bohn. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, and Ferlic. Voting Nay: None. Motion carried.

Motion Moved by Hergert and seconded by Ferlic to approve item X-A-4 and X-A-5.

X-A-4 Approve the Nebraska College of Technical Agriculture to offer an Associate of Science Degree.

X-A-5 Approve the following program restructuring in the College of Agricultural Sciences and Natural Resources (CASNR): (a) discontinue CASNR's existing Bachelor of Science in Agricultural Sciences Degree (BSAS) and Bachelor of Science in Natural Resources Degree (BSNR), (b) create a new Bachelor of Science Degree (B.S.), (c) transfer the existing 22 majors in the BSAS and BSNR degrees to the new B.S. Degree, and (d) institute a new major in Insect Science in the B.S. Degree.

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There was discussion

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Schroeder to approve amended item X-A-6.

X-A-6 Approve amendments to Regents' Policy 5.8.4, Rules for Granting of Nonresident Tuition Scholarships to Children of Alumni of the University.

### **5.8.4 Rules for Granting of Nonresident Tuition Scholarships to Children of Alumni of the University**

#### **1. Statement of Purpose.**

The Board of Regents has made recruitment of students a high priority for the University, and has emphasized the need to also achieve greater cultural diversity among students on the campuses of the University. The recruitment of nonresident students ~~will help~~ will help to enhance cultural diversity among students. In particular, the recruitment of nonresident children of alumni will complement the Regents' desire to increase cultural diversity, and at the same time will foster stronger alumni relations.

Neb. Rev. Stat. § 85-504 authorizes the Regents to adopt rules for the waiving of nonresident tuition to students on the basis of scholarship.

Based upon the foregoing, the Board of Regents hereby establishes these rules for awarding full or partial waiving of undergraduate nonresident tuition for nonresident children of alumni of the University.

#### **2. Definitions.**

For the purposes of these rules the following definitions shall apply:

- (a) "Alumnus of the University" shall mean any person who has been awarded a baccalaureate degree or a graduate or professional degree from the University of Nebraska.
- (b) "Child of an alumnus" shall mean any person who is a natural born child or legally adopted child of an alumnus of the University.

#### **3. Waiver of Undergraduate Nonresident Tuition for Children of Alumni.**

~~The Nonresident portion of tuition shall 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 one of the following scholarship eligibility standards established for each campus. Each campus chancellor is authorized to develop a Legacy Scholarship Program, subject to the following minimum standards.~~

- (a) ~~For A student entering the University from high school to qualify during the first four semesters of attendance and any two summer sessions following any of the first four semesters of attendance, the 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 total score of 1100 or higher. For the student to continue to qualify during the fifth through the eighth semesters of attendance and any two summers sessions following any of the fifth through the eighth semesters of attendance, the student must have achieved and maintained a cumulative grade point average of 3.0 or better.~~
- (b) ~~For A student first entering the University as a transfer student prior to completion of the first two years of his or her undergraduate education to qualify during the remainder of the first two years and any summer session following either the first or second year of his or her undergraduate education, the 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 total score of 1100 or higher, and the student must have achieved a~~

cumulative grade point average of 3.0 or better in all undergraduate course work at all institutions of postsecondary education he or she has previously attended. ~~For the student to continue to qualify during the four semesters after the first two years of his or her undergraduate education and any two summers sessions following any of the four semesters after the first two years of his or her undergraduate education, the student must continue to maintain a cumulative grade point average of 3.0 or better.~~

~~(c) For a student first entering the University as a transfer student after completion of the first two years of undergraduate education to qualify during the remainder of the third and fourth years of his or her undergraduate education and any summer session following either the third or fourth year of his or her undergraduate education, the student must have achieved a cumulative grade point average of 3.0 or better in all undergraduate course work at all institutions of postsecondary education he or she has previously attended and continue to maintain a cumulative grade point average of 3.0 or better for course work completed at the University of Nebraska.~~

~~After completion of the time periods specified above in these rules for eligibility for waiver of nonresident tuition, if the student is still a nonresident of Nebraska, he or she will be no longer be eligible for waiver of nonresident tuition under these rules.~~

**4. Continuation of Legacy Scholarship.**

Campus-specific rules for awarding Legacy Scholarships must include the criteria to be applied in determining eligibility for continuation of the award subsequent to the initial year.

**5. Transferability.**

A Legacy Scholarship awarded by one campus of the University is not transferable to another campus of the University. However, a student who enrolls as a Legacy Scholarship student at one campus of the University may qualify for a Legacy Scholarship at another campus of the University if he/she meets the Legacy Scholarship criteria for new transfer student specified in the rules of the campus to which the student is transferring.

**6.5. Effective Date.**

Campus-specific ~~These~~ rules for awarding Legacy Scholarships in accordance with this policy shall take effect at the beginning of the ~~2003-2004~~2006-2007 academic year and shall apply only to undergraduate nonresident students first entering the University at the beginning of the ~~2003-2004~~ 2006-2007 academic year and thereafter, except as noted immediately below.

**7.6. Applicability to Recipients of Legacy Scholarships Awarded for Terms Prior to the 2006-2007 Academic Year.**

A University student who enrolled as a Legacy Scholarship recipient prior to the 2006-2007 academic year, and also would have qualified for a Legacy Scholarship under the criteria for 2006-2007 awards, may elect to switch to the 2006-2007 rules if he/she determines that those rules would be more favorable for continuation of the award.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

**B. BUSINESS**

**Central Administration**

Motion Moved by Ferlic and seconded Miller to approve items X-B-1 and X-B-2.

X-B-1 Approve the proposed FY 2005-06 tuition rate increases for the University of Nebraska.

X-B-2 Approve the proposed FY2005-06 tuition rate increases for the Nebraska College of Technical

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Agriculture.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

Motion Moved by Wilson and seconded by Hassebrook to approve items X-B-3 and X-B-4.

X-B-3 Approve the FY 2005-06 University of Nebraska Operating Budget and reinstate allotment for committed carry forward funds already approved in previous fiscal years.

X-B-4 Approve the FY 2005-06 Operating Budget for the Nebraska College of Technical Agriculture

There was discussion.

Action Student Opinion: Aye: Zabih, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Hergert to approve item X-B-5.

X-B-5 Approve amendment of Section 3.12.4.3(a) of the *Bylaws of the Board of Regents of the University of Nebraska* increasing the University's contribution to the Retirement Plan contribution.

**3.12.4.3 Plan Contributions.**

(a) Subject to Section 4.7 of the Retirement Plan relating to maximum contributions, each participant in the Retirement Plan and the University shall make contributions to the plan at least yearly in accordance with the following schedule:

	Participant Contribution	University Contribution	Total Contribution
Lower Level	3.5%	<del>6.0%</del> <u>6.5%</u>	<del>9.5%</del> <u>10.0%</u>
Higher Level	5.5%	<del>7.5%</del> <u>8.0%</u>	<del>13.0%</del> <u>13.5%</u>

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by Miller and seconded by Hawks to approve item X-B-6.

X-B-6 Approve negotiated settlement with the Internal Revenue Service.

Action Student Opinion: Aye: Bohn, Kraemer, Zabih, and Behrendt. Voting Aye: Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Ferlic to approve item X-B-7.

X-B-7 Approve financing of computing equipment through the Master Lease Program.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by Wilson and seconded by Schroeder to approve item X-B-8.

X-B-8 Approve the resolution authorizing the Vice President for Business and Finance to determine

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the advisability and date upon which the University of Nebraska at Kearney Student Fees and Facilities Revenue Bonds, Series of 1966, maturing July 1, 2006, shall be called for payment and redemption from funds held in the surplus fund for such Revenue Bonds.

There was discussion.

Action Student Opinion: Aye: Zabih, Behrendt, Bohn, and Kraemer. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

Motion Moved by Schroeder and seconded by Wilson to approve item X-B-9 and X-B-10.

University of Nebraska at Kearney

X-B-9 Approve the program statement and budget for student housing replacement at the University of Nebraska at Kearney.

X-B-10 Approve the resolution to: (1) adopt the Supplemental Resolution, appropriately numbered, authorizing the issuance of not to exceed \$24,500,000 aggregate principal amount of University of Nebraska at Kearney Student Fees and Facilities Revenue Bonds, Series 2005, (2) authorize the execution and delivery of a Supplemental Master Indenture, appropriately numbered, and the related Master Note, (3) authorize the sale of such Revenue Bonds, Series 2005 at a negotiated sale as determined by the Vice President for Business and Finance, approving the Notice of Sale, a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement and a Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50 percent), principal amounts, principal maturities and redemption provisions, and (4) approve the preparation and use of a Final Official Statement.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Hergert to approve item X-B-11.

X-B-11 Approve an eight-year agreement with adidas America, Inc. for an exclusive sponsorship of the intercollegiate athletic programs of the University of Nebraska-Lincoln.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by McClurg and seconded by Ferlic to approve item X-B-12.

X-B-12 Approve the UNL North Stadium Improvement Project: (1) an increase in the project budget from \$50,000,000 to \$51,000,000; (2) the use of change orders which may exceed \$100,000 provided that all change orders shall be within the increased project budget. Change orders over \$100,000 in value will be approved by the UNL Vice Chancellor for Business and Finance; and (3) the use of a separate construction contract if negotiations with the current design-build contractor are unsatisfactory.

There was discussion.

Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

University of Nebraska Medical Center

Motion Moved by Miller and seconded by Wilson to approve item X-B-13, X-B-14 and X-B-15.

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- X-B-13 Approve a seven-year contract with the University of Nebraska Foundation providing for the purchase of real property currently owned by Commercial Federal Bank.
- X-B-14 Approve a seven-year lease agreement between UNMC and Commercial Federal Bank for the lease of real property located at 4444 Farnam Street, Omaha, Nebraska
- X-B-15 Approve a twenty-four month lease agreement between UNMC and Commercial Federal Bank for the lease of real property located at 4501 Dodge Street, 4460 Farnam Street, 4601 and 4421 Douglas Street, Omaha, Nebraska.
- There was discussion.
- Action Student Opinion: Aye: Behrendt, Bohn, Kraemer, and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, and Wilson. Voting Nay: None. Motion carried.

**C. FOR INFORMATION ONLY**

- X-C-1 This proposed amendment of Section 5.6 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to public information regarding students is presented for information purposes only in accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents of the University of Nebraska*. Approval of this amendment will be requested at the next business meeting of the Regents.

**D. REPORTS**

- X-D-1 Quarterly Personnel Report for the period January 1 through March 31, 2005.
- X-D-2 Report of the initiation of remaining relocation construction and demolition activities to prepare the site for the construction of the Center for Health Science Education at the University of Nebraska Medical Center.
- X-D-3 Schematic Design for the "Dr. Guinter Kahn Addition" to the "Dr. C.C. and Mabel Criss Library" Phase I Addition/Renovation at the University of Nebraska at Omaha.
- X-D-4 Gifts, Grants, Contracts and Bequests for the period January 1 through March 31, 2005.
- X-D-5 Bids and Contracts for the period ended May 19, 2005.

Chairman Hawks accepted the reports.

**XI. ADDITIONAL BUSINESS**

None.

**CLOSED SESSION**

Motion Moved by Behrendt and seconded Ferlic 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 for the purpose of holding a discussion limited to strategy with respect to the purchase of real estate.

Action Student Opinion: Aye: Behrendt, Zabih, Bohn, and Kraemer. Voting Aye: Ferlic, Wilson, Hergert, Hassebrook, Hawks, McClurg, Miller and Schroeder. Voting Nay: None. Motion carried.

The Board went into closed session at 11:22 a.m. and reconvened the open meeting at 11:40 a.m.

**ADJOURNMENT**

There being no further business and there being no objection, the meeting was adjourned at

June 10, 2005

11:40 a.m.

Respectfully submitted,

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Donal J. Burns  
Corporation Secretary

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Howard Hawks  
Chairman of the Board