

June 14, 2007

Lincoln, Nebraska  
June 14, 2007

The Board of Regents of the University of Nebraska met on June 14, 2007, at 1:00 p.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 June 1, 2007.

Regents present:

Randolph M. Ferlic  
Chuck Hassebrook, Vice Chairman  
Howard Hawks  
Jim McClurg  
Bob Phares  
Kent Schroeder  
Bob Whitehouse  
Charles S. Wilson, Chairman  
Amber Lewis  
Jonathan Henning  
David Solheim  
Alexander Williams

University officials present:

James B. Milliken, President  
Linda R. Pratt, Executive Vice President and Provost  
John Christensen, Chancellor, UNO  
Harold Maurer, Chancellor, UNMC  
Douglas A. Kristensen, Chancellor, UNK  
Harvey Perlman, Chancellor, UNL  
John Owens, Vice President for Agriculture and Natural Resources  
Donal J. Burns, Associate Executive Vice President and Provost and Corporation Secretary  
David Lechner, Vice President for Business and Finance  
Richard R. Wood, Vice President and General Counsel  
Peter G. Kotsiopoulos, Vice President for University Affairs

I. **CALL TO ORDER**

II. **ROLL CALL**

The Board convened at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska on June 14, 2007. Attendance is indicated above.

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

Motion Moved by McClurg and seconded by Phares to approve the minutes and ratify the actions of the regularly scheduled meeting of April 20, 2007, and the meeting of May 18, 2007.

Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson and Ferlic. Motion carried.

Regent Wilson announced the location of the Open Meetings Act in the Board room.

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**IV. KUDOS AND RESOLUTIONS**

**Regent Lewis presented a KUDOS award to Barbara Harshbarger**, Office Associate in the Department of Political Science and the Department of Criminal Justice and Social Work at the University of Nebraska at Kearney.

**Regent Schroeder presented a KUDOS award to Sandy Leslie**, Employee Relations Specialist at the University of Nebraska Medical Center.

**Regent Phares presented a KUDOS award to Donna Friedrichson**, who works on the Accounts Payable Staff of Financial Services at the University of Nebraska-Lincoln.

**Regent Hawks presented a KUDOS award to Jake Kirkland, Jr.** Assistant Director of Career Services at the University of Nebraska-Lincoln.

**Regent Whitehouse presented a KUDOS award to Jeanne Scarpello**, head coach of the Mavericks softball team at the University of Nebraska at Omaha.

Regent Wilson recognized the new Faculty Senate Presidents: Dr. Scott Tarry, UNO; Dr. Gordon Todd, UNMC; Dr. Steve Bradford, UNL; and Dr. Richard Miller, UNK.

**V. HEARINGS**

None

**VI. PUBLIC COMMENT**

None

**VII. UNIVERSITY CONSENT AGENDA**

Motion Moved by Hawks and seconded by Schroeder to approve items VII-A-1, VII-A-1-A, VII-A-3, VII-A-4, VII-B-1, VII-B-2, VII-B-3 and VII-B-4. Item VII-A-2 was held for further discussion.

**A. ACADEMIC AFFAIRS**

VII-A-1 The President's Personnel Recommendations

VII-A-1-A The Board of Regents' Personnel Recommendations

VII-A-3 Approve the proposed departmental name change of the Department of Parent-Child, Administration, Education, and Science to the Department of Families and Health Systems, College of Nursing at the University of Nebraska Medical Center

VII-A-4 Approve the proposed department name change of the Department Gerontological, Psychosocial, and Community Health Nursing to the Department of Community-Based Health, College of Nursing at the University of Nebraska Medical Center

**B. BUSINESS AFFAIRS**

University of Nebraska Central Administration

VII-B-1 Approve the Interlocal Cooperation Agreement between the Nebraska College of Technical Agriculture, the City of Curtis, Medicine Valley Public Schools, and Frontier County Addendum

University of Nebraska at Kearney

VII-B-2 Approve naming the new residence hall the "William R. Nester Hall"

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University of Nebraska-Lincoln

- VII-B-3 Approve construction by the Nebraska Alumni Association of a Life Member Endowment Wall and renovation of the Holling Garden on the east side of the Wick Alumni Center
- VII-B-4 Approve naming the Multicultural Center the “John D. ‘Jackie’ Gaughan Multicultural Center”
- Action Student Opinion: Voting Aye: Solheim, Williams, Lewis and Henning. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic and Hassebrook. Motion carried.
- Motion Moved by Hawks and seconded by Ferlic to approve item VII-A-2
- VII-A-2 Approve recommendations relating to academic program reviews required by the NCCPE and approve the forwarding of the program review reports to the NCCPE
- There was discussion
- Action Student Opinion: Voting Aye: Williams, Lewis, Henning and Solheim. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks. Motion carried.
- VIII. UNIVERSITY ADMINISTRATIVE AGENDA**
- A. ACADEMIC AFFAIRS**
- Motion Moved by McClurg and seconded by Schroeder to approve item VIII-A-1
- VIII-A-1 Approve establishment of a professional degree, Master of Laws (LL.M.) with a focus in Space and Telecommunications Law in the College of Law at the University of Nebraska-Lincoln
- There was discussion
- Action Student Opinion: Voting Aye: Lewis, Henning, Solheim and Williams. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks and McClurg. Motion carried.
- Motion Moved by Ferlic and seconded by McClurg to approve item VIII-A-2
- VIII-A-2 Approve the Bachelor of Science in Information Assurance at the University of Nebraska at Omaha
- There was discussion
- Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg and Phares. Motion carried.
- Motion Moved by Hassebrook and seconded by Ferlic to approve item VIII-A-3
- VIII-A-3 Approve the *Amendment to Bylaws for the University of Nebraska Institute of Agriculture and Natural Resources (IANR)* to approve Extension Professor and Professor of Practice titles for IANR faculty at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Solheim, Williams, Lewis and Henning. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares and Schroeder. Motion carried.
- Motion Moved by Ferlic and seconded by Whitehouse to approve item VIII-A-4
- VIII-A-4 Approve the proposed contract supporting the professional training program for dental students from the state of Wyoming and the University of Nebraska Medical Center
- There was discussion
- Action Student Opinion: Voting Aye: Williams, Lewis, Henning and Solheim. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder and Whitehouse. Motion carried.

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**B. BUSINESS AFFAIRS**

Central Administration

Motion Moved by McClurg and seconded by Schroeder to approve items VIII-B-1 and VIII-B-2

VIII-B-1 Approve the FY 2007-08 Tuition Rate Increases for the University of Nebraska

VIII-B-2 Approve the FY 2007-08 Tuition Rate Increases for the NCTA

There was discussion

Action Student Opinion: Voting Aye: Lewis, Henning, Solheim and Williams. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse and Wilson. Voting No: Ferlic. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve items VIII-B-3 and VIII-B-4

VIII-B-3 Approve the FY 2007-08 University of Nebraska Operating Budget

VIII-B-4 Approve the FY 2007-08 NCTA Operating Budget

There was discussion

Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson and Ferlic. Motion carried.

Motion Moved by Schroeder and seconded by Hawks to approve item VIII-B-5

VIII-B-5 Approve revised Board of Regents Policy RP-3.3.9 providing University regulations relating to the endorsement of commercial goods and services by the University and by University employees

**RP-3.3.9 Commercial Media**

~~The appearance of members of the University staff on commercially-sponsored radio programs shall conform to the following guidelines:~~

- ~~1. Each broadcast should carry an announcement that participation in the program does not constitute an endorsement of the products or services sold by the sponsor, either by the speaker or by the University.~~
- ~~2. There should be no direct or implied association between the subject matter developed by the speaker and the goods or services distributed by the sponsor.~~
- ~~3. The products distributed by the sponsor should be representative of goods or services which are generally acceptable to the people of Nebraska.~~

~~Each request for approval of participation on a commercially-sponsored program should be reviewed by a committee consisting of the Chancellor, Vice Chancellor of Academic Affairs, and the Dean of the college concerned. This committee should be responsible for determining whether conditions (2) and (3) are met before participation is approved.~~

**RP-3.3.9 Endorsement of Commercial Goods and Services by the University and University Staff**

An endorsement refers to statements, appearances and other actions engaged in primarily for the purpose of publicly promoting (e.g. advertising) the commercial value of a commercial good, service or business entity to its potential customers. This policy shall apply to all forms of commercial endorsement whether explicit or implied, including but not limited to, personal appearances, print media, radio, television, and Internet.

It is the policy of the University to not be perceived as endorsing commercial goods, services or businesses in connection with personal endorsement activities of University employees. Accordingly, it is generally not appropriate for an employee to engage in personal commercial endorsement activity primarily by virtue of his or her status as an employee of the University.

When an employee engages in a permitted endorsement activity, it should be clear that the employee is acting as an individual and not on behalf of the University. Reasonable precautions must be taken to prevent use of the University's name or any of its units in ways that suggest that the University sponsors or endorses goods, services or a business involved in an employee's permitted commercial personal endorsement activity.

1. University Endorsements; Required Approval. The University shall not advertise, appear in commercials for the benefit of, or otherwise endorse the goods, services or businesses of any person or entity outside of the University without prior written approval from the President or the relevant Chancellor (or their authorized designees).
2. Individual Employee Endorsements; Required Approval; Exception. No employee of the University shall advertise, appear in commercials of, or otherwise endorse the commercial goods, services or business of any person or entity outside of the University to promote the commercial goods, services or business of a non-University entity or person without prior written approval from the President or the relevant Chancellor (or their authorized designees). The foregoing shall not apply to (a) commercial advertising or endorsement of scholarly books, publications or materials from publishing houses of standing authored or co-authored by the employee, or in connection with University-sponsored educational materials as authorized by Section 3.11 of the Bylaws of the Board of Regents, or (b) an employee publicly promoting or advertising the work, services or fund raising activities of a tax-exempt nonprofit charitable organization.
3. Interpretation of Policy. Nothing in this policy shall be interpreted to:
  - a. Hinder or interfere with the scholarly study, research and evaluation of goods, services or business operations; or the dissemination of findings and data related to the same.
  - b. Prohibit a University employee from responding to an inquiry or reference request from a specific potential customer regarding the University's experience with or evaluation of some good, service or vendor; provided that such response shall not be incorporated into a publicly disseminated advertising.
  - c. Adversely affect the University's ability to enter into agreements with respect to commercialization of its intellectual property, and to publicly promote and advertise the commercial value of its intellectual property.
  - d. Adversely affect the University's ability to enter into licensing agreements with respect to its logos, trademarks and other trade indicia.
  - e. Adversely affect the University's ability to accept sponsorships and other gifts and to publicly recognize the generosity of the donors of sponsorships and gifts.
  - f. Prohibit a University employee from publicly promoting or advertizing the work, services or fund raising activities of a tax-exempt nonprofit charitable organization.

Action

Student Opinion: Voting Aye: Solheim, Williams, Lewis and Henning. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic and Hassebrook. Motion carried.

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University of Nebraska at Kearney

- Motion Moved by Phares and seconded by Schroeder to approve item VIII-B-6
- VIII-B-6 Approve the team of The Clark Enersen Partners to provide design services for the Bruner Hall of Science Renovation
- Action Student Opinion: Voting Aye: Williams, Lewis, Henning and Solheim. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks. Motion carried.

University of Nebraska-Lincoln

- Motion Moved by Phares and seconded by Ferlic to approve item VIII-B-7
- VIII-B-7 Approve the purchase of four High Energy Pump Lasers
- Action Student Opinion: Voting Aye: Lewis, Henning, Solheim and Williams. Voting Aye: Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks and McClurg. Motion carried.
- Motion Moved by McClurg and seconded by Whitehouse to approve items VIII-B-8, VIII-B-9, and VIII-B-10
- VIII-B-8 Approve the Program Statement, Budget and Fund Transfers for the renovation of Abel-Sandoz Residence Halls
- VIII-B-9 Approve a Resolution to authorize expenditure of up to \$7,207,000 for Capital Improvements for the Residence Halls and the Nebraska Unions facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds
- VIII-B-10 Approve a Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$30,505,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds, Series 2008, for the Renovation of the UNL Abel-Sandoz Residence Halls, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2008 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement and the 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%), principal amounts and principal maturities of such Revenue Bonds, Series 2008, and (4) approving the preparation and use of a final Official Statement
- There was discussion
- Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg and Phares. Motion carried.

- Motion Moved by Hassebrook and seconded by McClurg to approve item VIII-B-11
- VIII-B-11 Approve the Program Statement and Budget for the Whittier Building Renovation

There was discussion

- Action Student Opinion: Voting Aye: Solheim, Williams, Lewis and Henning. Voting Aye: Whitehouse, Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares and Schroeder. Motion carried.

University of Nebraska Medical Center

- Motion Moved by Schroeder and seconded by Hawks to approve item VIII-B-12
- VIII-B-12 Approve the Program Statement and Budget for the College of Dentistry Renovation

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- Action Student Opinion: Voting Aye: Williams, Lewis, Henning and Solheim. Voting Aye: Wilson, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder and Whitehouse. Motion carried.
- Motion Moved by Hawks and seconded by McClurg to approve item VIII-B-13
- VIII-B-13 Approve a Letter of Intent to Purchase Real Estate
- There was discussion
- Action Student Opinion: Voting Aye: Lewis, Henning, Solheim and Williams. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse and Wilson. Motion carried.
- Motion Moved by McClurg and seconded by Ferlic to approve item VIII-B-14
- VIII-B-14 Approve the use of the Cynthia M. Anner Bequest to establish the Anner Medical Scholarship Fund as a quasi-endowment fund
- Action Student Opinion: Voting Aye: Henning, Solheim, Williams and Lewis. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson and Ferlic. Motion carried.
- University of Nebraska at Omaha
- Motion Moved by McClurg and seconded by Whitehouse to approve item VIII-B-15
- VIII-B-15 Approve the Purchases of Real Property at 6808 Spring Street
- Action Student Opinion: Voting Aye: Solheim, Williams, Lewis and Henning. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic and Hassebrook. Motion carried.
- Motion Moved by Whitehouse and seconded by McClurg to approve items VIII-B-16 and VIII-B-17
- VIII-B-16 Approve the Program Statement and Budget for the Health, Physical Education and Recreation Facility Expansion and Renovation
- VIII-B-17 Approve a Resolution (1) adopting the Fourth Supplemental Resolution to Sixth Series Resolution authorizing the issuance of not to exceed \$43,500,000 aggregate principal amount of Revenue Bonds, Series 2007 (University of Nebraska at Omaha Student Facilities Revenue Bonds), (2) authorizing the execution and delivery of a Supplemental Master Indenture and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, approving the Bond Purchase Agreements and the Preliminary Official Statements, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average of 5.50%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, and (4) approving the preparation and use of a Final Official Statement
- There was discussion
- Action Student Opinion: Voting Aye: Williams, Lewis, Henning and Solheim. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Wilson, Ferlic, Hassebrook and Hawks. Motion carried.
- C.**
- FOR INFORMATION ONLY**
- VIII-C-1 Board of Regents agenda items related to the Strategic Framework
- VIII-C-2 Calendar of establishing and reporting accountability measures
- VIII-C-3 Current version of the Strategic Framework
- VIII-C-4 University of Nebraska Strategic Framework Indicators

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**D. REPORTS**

- VIII-D-1 Quarterly Personnel Report for the period January 1 through March 31, 2007
- VIII-D-2 Programs with Tuition Variances
- VIII-D-3 Expedited approval of the University of Nebraska at Omaha Graduate Certificate in Public Management at the School of Public Administration
- VIII-D-4 Bids and Contracts for the period ended May 24, 2007
- VIII-D-5 Gifts, Grants, Contracts and Bequests for the period January 1 through March 31, 2007
- VIII-D-6 Quarterly Status Report of Six-Year Capital Plan for the period ended March 31, 2007
- VIII-D-7 Naming of “Antelope Hall” at the University of Nebraska at Kearney
- VIII-D-8 Naming of the “Carrie Ludden and Eva Case Courtyards” and “University View” at the University of Nebraska at Kearney
- VIII-D-9 Naming two rooms in the Durham Research Center the “Carol J. Swarts, M.D. Laboratory for Emerging Neurosciences Research”
- VIII-D-10 Bennett Hall Renovation Design Development Report for the University of Nebraska Medical Center
- VIII-D-11 College of Law Auditorium Renovation and Classroom Addition Design Development Report for the University of Nebraska-Lincoln

Chairman Wilson accepted the reports.

**OTHER**

Regent Ferlic stated that Zakiyah Zaki, an Afghan radio show host and school headmistress who had ties to the University of Nebraska’s Center for Afghanistan Studies was killed in her home in Afghanistan earlier this month.

President Milliken made a presentation on the “KnowHow2GONEbraska” program.

The next Board of Regents meeting is scheduled for Friday, July 13, 2007 in Fremont, Nebraska.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:53 p.m.

Respectfully submitted,

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Donal J. Burns  
Corporation Secretary

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Charles S. Wilson  
Chairman of the Board