

The Board of Regents of the University of Nebraska met on October 28, 2011 at 1:00 p.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.* 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 October 17, 2011.

Regents present:
Timothy F. Clare
Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Jim McClurg, Vice Chair
Bob Phares
Kent Schroeder
Bob Whitehouse, Chairman
Lane Carr
Jordan Gonzales
Elizabeth O'Connor

Not present:
Jeremy Peterson

University officials present:
James B. Milliken, President
Linda R. Pratt, Executive Vice President and Provost
Carmen K. Maurer, Interim Corporation Secretary
John E. Christensen, Chancellor, UNO
Harold M. Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
David E. Lechner, Vice President for Business and Finance
Joel D. Pedersen, Vice President and General Counsel
Sharon R. Stephan, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 1:00 p.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, on October 28, 2011. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Hawks and seconded by Phares to approve the minutes and ratify the actions of the regularly scheduled meeting of September 9, 2011.

Action Student Opinion: Voting Aye: Gonzales, O'Connor, and Carr. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Not present: Peterson. Motion carried.

Regent Whitehouse announced the location of the Open Meetings Act in the board room.

IV. KUDOS

Regent Hawks presented a KUDOS award to Ismael Torres, Health Education Coordinator in the Division of Counseling and Health Care at the University of Nebraska at Kearney.

Regent Ferlic presented a KUDOS award to Laura Lamblin, Administrative Technician in the office of the Vice President for Business and Finance at the University of Nebraska at Omaha.

Regent Hassebrook presented a KUDOS award to Robert Rhynalds, Scientific Instrument Maker in the Chemistry and Physics Instrument Shop at the University of Nebraska-Lincoln.

Regent Clare presented a KUDOS award to Thomas Caffrey, Research Coordinator at the University of Nebraska Medical Center's Eppley Research Institute.

President Milliken thanked Dave Schnase for his time with the University of Nebraska this past academic year while serving as an Academic Fellow from the American Council on Education.

V. RESOLUTIONS

None

VI. HEARINGS

None

VII. PUBLIC COMMENT

Mr. Pete Smagacz addressed the Board of Regents on the topic of employee benefits.

VIII. UNIVERSITY CONSENT AGENDA

Motion Moved by Phares and seconded by McClurg to approve items VIII-A-1 and VIII-B-1

Regent Hawks requested that item VIII-B-2 be moved to the Administrative agenda for discussion and action, which was granted by the Chair

A. ACADEMIC AFFAIRS

VIII-A-1 The President's Personnel Recommendations

B. BUSINESS AFFAIRS

VIII-B-1 Approve the sole source purchase of high performance mass spectrometer and Q-trap mass spectrometer

Action Student Opinion: Voting Aye: O'Connor, Carr, and Gonzales. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Not present: Peterson. Motion carried.

IX. UNIVERSITY ADMINISTRATIVE AGENDA

B. BUSINESS AFFAIRS

Motion Moved by Hawks and seconded by Phares to amend and approve item VIII-B-2

VIII-B-2 Approve and add to Board of Regents Policy RP-6.3.1 the provision delegating to the President limited authority to enter into contracts otherwise requiring approval by the Board of Regents

Motion to amend Moved by Hawks and seconded by Phares to amend item VIII-B-2 and approve said amended item so that it reads in its entirety as follows:

6. President's Authority between Board of Regents Meetings

The President is authorized to enter into a contract otherwise requiring approval by the Board of Regents if:

a. Upon request of the Chancellor of the relevant campus, or the Vice President for Business and Finance in the case of contracts applicable to the University system, the President reasonably determines that circumstances exist that present a genuine and important need to execute a particular contract prior to the next regularly scheduled meeting of the Board of Regents;

b. The President notifies the members of the Board of Regents as to the nature and magnitude of the contract; and

c. The President consults and receives the approval of the Executive Committee of the Board of Regents.

The authority delegated herein shall be narrowly construed, and the execution of contracts under this section shall not be liberally granted. The authority to execute employment contracts, letters of appointment and other personnel matters, requiring approval of the Board of Regents, is not delegated pursuant to this section.

At the meeting of the Board of Regents following any contract executed by the President pursuant to this delegation, the President shall provide a report to the Board, describing the nature, terms, and consideration of the contract. Section 5 above, relating to delegation of the President's authority to other administrative officers and professional staff is not applicable to this section.

There was discussion

Action on Amendment Approve amendment to item VIII-B-2

Student Opinion: Voting Aye: Carr, Gonzales, and O'Connor. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: Peterson. Motion carried.

A. ACADEMIC AFFAIRS

Motion Moved by Schroeder and seconded by McClurg to approve item IX-A-1

IX-A-1 Approve a uniform Student Code regarding Disciplinary Procedures for Student Sexual Harassment Complaints

There was discussion

Action Student Opinion: Voting Aye: Carr, Gonzales, and O'Connor. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Not present: Peterson. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve items IX-A-2 and IX-A-3

IX-A-2 Approval is requested to eliminate the Lentz Center for Asian Culture at the University of Nebraska-Lincoln

IX-A-3 Approval is requested to eliminate the Center for Albanian Studies at the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Gonzales, O'Connor, and Carr. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Not present: Peterson. Motion carried.

B. BUSINESS AFFAIRS

Motion Moved by Hawks and seconded by Ferlic to approve item IX-B-1

University of Nebraska

IX-B-1 Approve the acceptance of audited financial statements of the Master Trust Indenture

Action Student Opinion: Voting Aye: O'Connor, Carr, and Gonzales. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Not present: Peterson. Motion carried.

University of Nebraska-Lincoln

- Motion Moved by Phares and seconded by Hawks to approve item IX-B-2
- IX-B-2 Approve the selection of Sinclair Hille Architects to provide design services for East Campus Recreation Center at the University of Nebraska-Lincoln
- There was discussion
- Action Student Opinion: Voting Aye: Carr, Gonzales, and O'Connor. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Not present: Peterson. Motion carried.
- Motion Moved by Hawks and seconded by McClurg to approve item IX-B-3
- IX-B-3 Approve the naming of the Nebraska Nanoscience Research Center at the University of Nebraska-Lincoln the "Voelte-Keegan Nanoscience Research Center"
- Action Student Opinion: Voting Aye: Gonzales, O'Connor, and Carr. Voting Aye: Ferlic, Hassebrook, Hawks, Ferlic, McClurg, Phares, Schroeder, Whitehouse, and Clare. Not present: Peterson. Motion carried.
- Motion Moved by Hawks and seconded by McClurg to approve item IX-B-4
- IX-B-4 Approve the Resolution to authorize expenditure of up to \$2,193,500 for capital improvements for the Nebraska Unions and University Housing facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: O'Connor, Carr, and Gonzales. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Not present: Peterson. Motion carried.
- Motion Moved by Phares and seconded by Hassebrook to approve item IX-B-5
- IX-B-5 Approve the Resolution to authorize the expenditure of up to \$460,000 from the Surplus Fund of the UNL Parking Revenue Bonds to improve certain property and equipment
- Action Student Opinion: Voting Aye: Carr, Gonzales, and O'Connor. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: Peterson. Motion carried.

C. FOR INFORMATION ONLY

- IX-C-1 Technical amendments to § 4.14.2(c) (8) and (9) of the Bylaws of the Board of Regents of the University of Nebraska relating to the powers and rules of procedure to be followed by the Academic Freedom and Tenure committees to be created by the faculty governing agencies on each campus
- IX-C-2 University of Nebraska Strategic Planning Framework
- IX-C-3 University of Nebraska Strategic Framework Accountability Measures
- IX-C-4 Calendar of establishing and reporting accountability measures
- IX-C-5 University of Nebraska Strategic Dashboard Indicators
- IX-C-6 Board of Regents agenda items related to the University of Nebraska Strategic Framework

D. REPORTS

- IX-D-1 Fall 2011 Headcount and Semester Credit Hour
- IX-D-2 Intermediate Design Reports
- IX-D-3 Bids and Contracts

- IX-D-4 ANDRILL lease between the University of Nebraska-Lincoln and J. S. Lang Enterprises
- IX-D-5 Fifth Amendment to the five-year lease agreement between the University of Nebraska-Lincoln and the American Nebraska Limited Partnership
- IX-D-6 Naming of “Neal and Jamie Hawks Players Lounge” located inside the Hendricks Training Complex at the University of Nebraska-Lincoln
- IX-D-7 Naming areas in Roskens Hall, Mammel Hall, and Criss Library at the University of Nebraska at Omaha
- IX-D-8 Revisions to rules and regulations for faculty and student self-government organizations: Appendix to the Bylaws of the UNMC Faculty Senate Standing Committees

Chairman Whitehouse accepted the reports.

X. ADDITIONAL BUSINESS

Closed Session

Motion Moved by O’Connor and seconded by Schroeder that the Board 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 persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subject:

- (a) proposed private gifts to the University of Nebraska Foundation for the benefit of the university;
- (b) strategy session regarding proposed property transfer; and
- (c) strategy session related to litigation.

Regent Whitehouse declared that the closed session would be strictly limited to a discussion of:

- (a) proposed private gifts to the University of Nebraska Foundation for the benefit of the university;
- (b) strategy session regarding proposed property transfer; and
- (c) strategy session related to litigation.

Action Student Opinion: Voting Aye: Carr, Gonzales, and O’Connor. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Not present: Peterson. Motion carried.

The Board went into closed session at 1:48 p.m. and reconvened the open meeting at 2:22 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Whitehouse at 2:23 p.m.

Respectfully submitted,

Carmen K. Maurer
Interim Corporation Secretary

Robert L. Whitehouse
Chairman of the Board