

Lincoln, Nebraska  
June 8, 2012

The Board of Regents of the University of Nebraska met on June 8, 2012, at 12:45 p.m. Central Daylight Time via video conference in the Board Room, Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska. An additional meeting site was provided by video conference at 11:45 a.m. Mountain Daylight Time, at the University Center, 4300 Cheyenne Boulevard, Rapid City, South Dakota, 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.* § 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 29, 2012.

Regents present:  
Timothy F. Clare, Vice Chair  
Randolph M. Ferlic (via video conference)  
Chuck Hassebrook  
Howard Hawks  
Jim McClurg, Chair  
Bob Phares  
Kent Schroeder  
Bob Whitehouse  
Faisal Ahmed  
Devin Bertelsen  
Cameron Deter  
Eric Kamler

University officials present:  
James B. Milliken, President  
Linda R. Pratt, Executive Vice President and Provost  
Carmen K. Maurer, Corporation Secretary  
John E. Christensen, Chancellor, UNO  
Douglas A. Kristensen, Chancellor, UNK  
Harold M. Maurer, Chancellor, UNMC  
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 12:45 p.m. Central Daylight Time via video conference in the Board Room, Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska. An additional meeting site was provided by video conference at 11:45 a.m. Mountain Daylight Time, at the University Center, 4300 Cheyenne Boulevard, Rapid City, South Dakota. Attendance is indicated above.

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

Motion Moved by Schroeder and seconded by Phares to approve the minutes and ratify the actions of the regularly scheduled meeting of May 18, 2012.

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

Regent McClurg announced the location of the Open Meetings Act in the board room and at the video conference site.

**IV.**

**KUDOS**

**Regent Clare presented a KUDOS award to David Brown**, computer technician for the College of Public Affairs and Community Service at the University of Nebraska at Omaha.

**Regent Hassebrook presented a KUDOS award to KrisAnn Sullivan**, director of the Frank House at the University of Nebraska at Kearney.

**Regent Schroeder presented a KUDOS award to William Noel**, custodial specialist for Facilities Management & Planning assigned to Sheldon Museum of Art at the University of Nebraska-Lincoln.

**Regent Deter presented a KUDOS award to Bethany DeCarolis**, grants and contracts specialist in Sponsored Programs Administration at the University of Nebraska Medical Center.

**V.**

**RESOLUTION**

Regent Whitehouse presented the following resolution

**WHEREAS**, Dr. Linda Ray Pratt has served as Executive Vice President and Provost of the University of Nebraska since 2006; and

**WHEREAS**, she has had a distinguished academic career, including service as Professor and Chair of the English Department and interim Dean of the College of Arts & Sciences at the University of Nebraska-Lincoln; and

**WHEREAS**, through her focus on high quality academic programs, her commitment to collaboration and her keen eye for talent she has built a valued and respected Office of the Provost; and

**WHEREAS**, as Provost Dr. Pratt has provided valued leadership for a broad range of academic endeavors including the Graduate College, the Nebraska Research Initiative, the Nebraska P-16 Initiative, Online Worldwide, the Buffett Early Childhood Institute, University-wide Programs of Excellence, EPSCOR and the Midwest Higher Education Compact; and

**WHEREAS**, she has provided guidance and support to international engagement activities in nations of strategic importance to the University; and

**WHEREAS**, she has been recognized and honored by her colleagues as President of the American Association of University Professors, President of the Association of Departments of English, and as the recipient of the Distinguished Teaching Award and the James A. Lake Academic Freedom Award; and

**WHEREAS**, Dr. Pratt has been a trusted advisor to the President and Board, a successful advocate with donors, and a formidable political opponent for certain of her colleagues; and

**WHEREAS**, Dr. Pratt will retire as Provost and return to teaching effective June 30, 2012,

**NOW THEREFORE BE IT RESOLVED** that the Board of Regents of the University of Nebraska extends its thanks and congratulations to Dr. Linda Pratt for her leadership, vision, service and passion for the academic community; and that the Board extends its best wishes to Dr. Pratt as she returns to the classroom and continues to “light tomorrow with today.”

The resolution was accepted by acclamation

President Milliken welcomed newly-elected Faculty Senate Presidents Peter J. Smith, University of Nebraska at Omaha; Mathias Schubert, University of Nebraska-Lincoln; Dawn Mollenkopf, University of Nebraska at Kearney; and Audrey Nelson, University of Nebraska Medical Center.

**VI. PUBLIC COMMENT**

**MOTION TO MODIFY THE STANDING RULES**

Motion Moved by Hawks and seconded by Hassebrook to waive Standing Rule 5.1 “Right of Public to Appear” as follows: In order to provide an opportunity for a larger number of persons to participate in the public comment portion of our meeting today, I move to waive that portion of the Standing Rules which limits speakers to 5 minutes per person with an aggregate period of 30 minutes for all speakers, and further, that the Chairman of the Board be authorized to preside over the public comment portion of this meeting in such a manner as will sufficiently and efficiently inform the members of the Board.

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

The following individuals spoke on the subject of technical amendments to the University of Nebraska medical/dental/vision health insurance plan (Addendum IX-B-6)

1. Professor Helen Moore
2. Father Jerry Thompson, St. Marks on the Campus Episcopal Church
3. Professor Debra Hope [See Documents File for handout]
4. James Cunningham, Nebraska Catholic Conference [See Documents File for handout]
5. Nora Sandine, Sarpy Republican Women
6. Brendan Evans
7. Professor Steve Baenziger
8. Hannah Buell, Nebraska Family Council [See Documents File for handout]
9. David Bydalek, Family First

**VII. HEARINGS**

None

**VIII. UNIVERSITY CONSENT AGENDA**

**A. ACADEMIC AFFAIRS**

Motion Moved by Hawks and seconded by Whitehouse to approve items VIII-A-1 and VIII-A-2

VIII-A-1 The President’s Personnel Recommendation Addendum

VIII-A-2 Approve recommendations relating to academic program reviews required by the NCCPE and approve forwarding of the program review reports to the NCCPE

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.

**IX. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

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

IX-A-1 Approval is requested to merge the Ph.D. in Horticulture into the Ph.D. in Agronomy at UNL, resulting in a single Ph.D. in Agronomy and Horticulture, by concurrently eliminating the Ph.D. in Horticulture and renaming the Ph.D. in Agronomy as the Ph.D. in Agronomy and Horticulture

Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.

Motion Moved by Hassebrook and seconded by Hawks to approve item IX-A-2

IX-A-2 Approval is requested to create a Bachelor of Science degree in Emergency Management at the University of Nebraska at Omaha

Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.

## **B. BUSINESS AFFAIRS**

Motion Moved by Hawks and seconded by Clare to approve items IX-B-1 and IX-B-2

### University of Nebraska

IX-B-1 Approve the FY 2012-13 University of Nebraska Operating Budget, tuition rate increases, and reinstate allotment for committed carry forward funds already approved in previous fiscal years

Approve the FY 2012-13 Nebraska College of Technical Agriculture Operating Budget, Tuition Rate Increases, and reinstate allotment for committed carry forward funds already approved in previous fiscal years

There was discussion. Regent Clare requested that the minutes reflect his support of item IX-B-1, coupled with an ongoing focus on improved graduation rates.

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

Motion Moved by Hawks and seconded by Phares to approve items IX-B-3 and IX-B-4

IX-B-3 Approve the FY 2013-14 and 2014-15 University of Nebraska Operating Budget Request

IX-B-4 Approve the FY 2013-14 and FY 2014-15 Nebraska College of Technical Agriculture Biennial Operating Budget Requests

Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Motion Moved by Whitehouse and seconded by Clare to approve item IX-B-5

IX-B-5 Approve the University of Nebraska Construction Budget Request for the 2011-2013 Biennium, which consists of the following projects:

- UNMC College of Nursing Building, Lincoln Division
- UNCA Renovation of the USPFO/CFMO Nebraska National Guard Building

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

Motion Moved by Whitehouse and seconded by Hassebrook to approve item IX-B-6

IX-B-6 Approve technical amendments to the University of Nebraska medical/dental/vision health insurance plan to authorize the President or the President's designee to execute, without further authorization of the Board, amendments to the Plan as follows:

1) to implement "Employee Plus One" and "Employee Plus One and Family" coverage options in addition to "Employee Only"; "Employee and Spouse"; "Employee and Child(ren)"; and "Employee and Family"; enrollment categories; and

2) to adopt changes recommended by counsel to comply with applicable law; to continue the Plan's status under the Internal Revenue Code; and to facilitate administration

There was discussion

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Hawks, McClurg, Schroeder, Whitehouse, and Hassebrook. Voting No: Phares, Clare, and Ferlic. Motion carried.

Motion Moved by Ferlic and seconded by Clare to approve item IX-B-7

IX-B-7 Approve expenditure of Othmer Endowment Funds for funding of University of Nebraska Technology Development Corporation

There was discussion. The Project Cost was corrected to show \$250,000.

Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.

Motion Moved by Hassebrook and seconded by Hawks to approve items IX-B-8 and IX-B-9

University of Nebraska-Lincoln

IX-B-8 Approve the Program Statement and Budget for the 18th and R Parking Garage at the University of Nebraska-Lincoln

IX-B-9 Approve the attached Resolution (1) adopting the Eleventh Supplemental Resolution to Second Series Resolution authorizing (a) the issuance of not to exceed \$8,700,000 principal amount of Revenue Bonds, Series 2013 (University of Nebraska-Lincoln Parking Project) and (b) the expenditure of up to \$5,392,000 from the Second Series Surplus Fund, (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 Agreement, and the Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (to provide a true interest cost not to exceed 4.50 percent), 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: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.

Motion Moved by Phares and seconded by Clare to approve item IX-B-10

IX-B-10 Approve project to rehabilitate the Elliot Building at Panhandle Research and Extension Center, Scottsbluff

There was discussion

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

Motion Moved by Phares and seconded by Schroeder to approve item IX-B-11

IX-B-11 Approve the lease agreement between NEBCO, Inc. and the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

Motion Moved by Schroeder and seconded by Whitehouse to approve item IX-B-12

- IX-B-12 Approve a five-year agreement with the City of Lincoln to provide StarTran bus service on routes connecting University of Nebraska-Lincoln City and East Campuses
- There was discussion
- Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.
- Motion Moved by Hassebrook and seconded by Clare to approve item IX-B-13
- IX-B-13 Approve the Facilities Space Lease between University of Nebraska-Lincoln and Verizon Wireless for placement and operation of wireless communication equipment within Memorial Stadium
- Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.
- Motion Moved by Whitehouse and seconded by Clare to approve item IX-B-14
- IX-B-14 Approve consulting contract with Sasaki to develop a comprehensive update to the University of Nebraska-Lincoln campus master plan and to develop a landscape master plan
- There was discussion
- Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.
- Motion Moved by Hassebrook and seconded by Ferlic to approve item IX-B-15
- IX-B-15 Approve an increase in the project budget for the Ken Morrison Life Sciences Research Center Addition at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.
- Motion Moved by Schroeder and seconded by Hassebrook to approve item IX-B-16
- University of Nebraska at Kearney
- IX-B-16 Approve the Program Statement and Budget for the University of Nebraska at Kearney Wellness Center
- There was discussion
- Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.
- Motion Moved by Schroeder and seconded by Phares to approve item IX-B-17
- IX-B-17 Approve an agreement between Runza Restaurants and the University of Nebraska at Kearney, granting license to manage and operate event concession operations on the UNK campus
- There was discussion
- Action Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Phares, Schroeder, Whitehouse, Ferlic, Hassebrook, and McClurg. Abstain: Clare. Voting No: Hawks [Note: Regent Hawks voted to “Abstain” and the vote was recorded as “No” by the Board’s Standing Rules] Motion carried.

IX-B-18 [There is no item IX-B-18]

Motion Moved by Clare and seconded by Whitehouse to approve item IX-B-19

University of Nebraska Medical Center

IX-B-19 Approve resolution authorizing the University to proceed with actions necessary to complete the purchase of real property at 3921 Mason Street for the planned construction of University parking and related improvements, including examining and inspecting the property, conducting related professional appraisals, and the initiation of eminent domain proceedings to purchase such property, if necessary

Action Student Opinion: Voting Aye: Deter, Kamler, Ahmed, and Bertelsen. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

Motion Moved by Hawks and seconded by Clare to approve item IX-B-20

IX-B-20 Approve resolution authorizing the University to proceed with actions necessary to complete the purchase of real property at 911 South 40th Street for the planned construction of University parking and related improvements, including examining and inspecting the property, conducting related professional appraisals, and the initiation of eminent domain proceedings to purchase such property, if necessary

Action Student Opinion: Voting Aye: Kamler, Ahmed, Bertelsen, and Deter. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

Motion Moved by Hawks and seconded by Clare to approve item IX-B-21

IX-B-21 In concert with The Nebraska Medical Center, to approve the creation of the C3 Development Corporation for the planning, development and construction of the Comprehensive Cancer Center at the University of Nebraska Medical Center and authorize the Executive Committee of the Board of Regents to approve the Articles of Incorporation, Bylaws, and related instruments to form the same

There was discussion. Regent Hawks requested that the minutes reflect that the approval of this item is limited to the "RECOMMENDED ACTION", i.e. authority to create the C3 Development Corporation, and does not infer approval of the project cost [\$110 million] that was set out in the item under the heading "PROJECT COST."

Action Student Opinion: Voting Aye: Ahmed, Bertelsen, Deter, and Kamler. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

**C. FOR INFORMATION ONLY**

IX-C-1 University of Nebraska Strategic Planning Framework

IX-C-2 University of Nebraska Strategic Framework Accountability Measures

IX-C-3 Calendar of establishing and reporting accountability measures

IX-C-4 University of Nebraska Strategic Dashboard Indicators

IX-C-5 Board of Regents agenda items related to the University of Nebraska Strategic Framework

**D. REPORTS**

- IX-D-1 Quarterly Personnel Report for the period January, February, March 2012
- IX-D-2 Expedited Approval of the University of Nebraska-Lincoln Distance Education Graduate Certificate in Advanced Horticulture in the Department of Agronomy and Horticulture
- IX-D-3 Expedited Approval of the University of Nebraska-Lincoln Distance Education Graduate Certificate in Ornamentals, Landscape and Turf in the Department of Agronomy and Horticulture
- IX-D-4 Expedited Approval of the University of Nebraska-Lincoln Distance Education Graduate Certificate in Floriculture and Nursery Production Management in the Department of Agronomy and Horticulture
- IX-D-5 Expedited Approval of the University of Nebraska-Lincoln Graduate Certificate in Music Entrepreneurship in the School of Music and the Center for Entrepreneurship
- IX-D-6 Renaming the following programs in the Department of Textiles, Merchandising, and Fashion Design at the University of Nebraska-Lincoln (UNL) to conform to the new department's name: Bachelor of Science (BS) in Textiles, Clothing and Design to the BS in Textiles, Merchandising, and Fashion Design; Master of Arts (MA) in Textiles, Clothing and Design to the MA in Textiles, Merchandising, and Fashion Design; Master of Science (MS) in Textiles, Clothing and Design to the MS in Textiles, Merchandising, and Fashion Design; and the Ph.D. specialization in Human Sciences (Textiles, Clothing and Design) to the Ph.D. specialization in Human Sciences (Textiles, Merchandising, and Fashion Design)
- IX-D-7 Revisions to rules and regulations for faculty and student self-government organizations: (1) UNK Constitution of the College of Natural and Social Sciences, and (2) UNK Constitution and Bylaws of the Faculty of the Library
- IX-D-8 Intermediate Design Reports for UNL East Stadium Addition Research Fit-out, UNO Biomechanics, and PKI remodel
- IX-D-9 Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report
- IX-D-10 Quarterly Report of Gifts, Grants, and Contracts
- IX-D-11 Bids and Contracts
- IX-D-12 Strategic Framework Report--Short-Term Investment Report
- IX-D-13 Report on Debt Refinancing
- IX-D-14 Naming of the Mary Mitchell Fashion Studio at the University of Nebraska-Lincoln
- IX-D-15 Strategic Framework report on Global Engagement--Study Abroad [3-d-i]
- Chairman McClurg accepted the reports

**X. ADDITIONAL BUSINESS**

- Motion Moved by Bertelsen and seconded by Whitehouse 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 subjects:
- (a) Strategy session with respect to collective bargaining;
  - (b) Strategy session with respect to litigation; and
  - (c) Strategy session with respect to possible acquisition of property and gifts to the University.



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

- (a) Strategy session with respect to collective bargaining;
- (b) Strategy session with respect to litigation; and
- (c) Strategy session with respect to possible acquisition of property and gifts to the University.

Action

Student Opinion: Voting Aye: Bertelsen, Deter, Kamler, and Ahmed. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

The Board went into closed session at 2:56 p.m. and reconvened the open meeting at 3:51 p.m.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman McClurg at 3:52 p.m.

Respectfully submitted,

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Carmen K. Maurer  
Corporation Secretary

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Jim McClurg  
Chairman of the Board