

Lincoln, Nebraska  
January 25, 2019

The Board of Regents of the University of Nebraska met on January 25, 2019, at 10:30 a.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 (page 100).

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 January 18, 2019.

Regents present:

Timothy Clare, Vice Chairman  
Howard Hawks  
Elizabeth O'Connor  
Bob Phares  
Jim Pillen  
Robert Schafer, Chairman  
Barbara Weitz  
Logan Krejdl, University of Nebraska at Kearney  
Sarah Hotovy, University of Nebraska Medical Center  
Renata Valquier Chavez, University of Nebraska at Omaha

Regents not present:

Paul Kenney  
Hunter Traynor, University of Nebraska-Lincoln

University officials present:

Hank M. Bounds, President  
Susan M. Fritz, Executive Vice President and Provost  
Carmen K. Maurer, Corporation Secretary  
Jeffrey P. Gold, Chancellor, University of Nebraska Medical Center and  
University of Nebraska at Omaha  
Ronnie D. Green, Chancellor, University of Nebraska-Lincoln  
Douglas A. Kristensen, Chancellor, University of Nebraska at Kearney  
Christopher J. Kabourek, Vice President for Business and Finance | CFO  
James P. Pottorff, Vice President and General Counsel  
Michael J. Boehm, Vice President for Agriculture and Natural Resources

**I. CALL TO ORDER**

Chairman Schafer welcomed Regent Elizabeth O'Connor, District 4 representative, and Regent Barbara Weitz, District 8 representative.

**II. ROLL CALL**

The Board convened at 10:30 a.m. in the boardroom of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska. Attendance is indicated above.

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

Motion Moved by Hawks and seconded by Pillen to approve the minutes and ratify the actions of the regularly scheduled meeting on December 20, 2018.

Action Student Opinion: Voting Aye: Krejdl, Valquier Chavez, and Hotovy. Voting Aye: Hawks, O'Connor, Phares, Pillen, Schafer, Weitz, and Clare. Not present: Kenney and Traynor. Motion carried.

Chairman Schafer announced the location of the Open Meetings Act in the board room.

**IV. KUDOS**

**Regent Hotovy presented a KUDOS award to Sarah Kole**, Housing Operations Coordinator at the University of Nebraska at Omaha.

**Regent Phares presented a KUDOS award to Theresa Larson**, operations manager in the Office of Comparative Medicine at the University of Nebraska Medical Center.

**Regent Krejdl presented a KUDOS award to Beth Benson**, Security Coordinator for Business and Finance at the University of Nebraska-Lincoln.

**Regent Pillen presented a KUDOS award to Stephanie Gallaway**, Digital Media Producer for Communications and Marketing at the University of Nebraska at Kearney.

**V. SUCCESSION OF CHAIR; ELECTION OF VICE CHAIR**

Regent Schafer thanked his Board and University colleagues for their support during his term as chair in 2018, noting how very valuable the experience was to him. Regent Clare succeeded to Chair of the Board as defined in Section 1.2 of the *Standing Rules of the Board of Regents*.

Motion Moved by Clare and seconded by Regent Phares to nominate Regent Pillen for the position of Vice Chair of the Board. There being no further nominations, Chairman Schafer declared the nominations closed and called for a roll-call vote.

Action Student Opinion: Voting Aye: Valquier Chavez, Hotovy, and Krejdl. Voting Aye: O'Connor, Phares, Pillen, Schafer, Weitz, Clare, and Hawks. Not present: Kenney and Traynor. Motion carried.

**VI. RESOLUTIONS**

None

**VII. HEARINGS**

None

**VIII. PUBLIC COMMENT**

Dr. Lawrence Bradley spoke on the topic of a racial slur incident at the University of Nebraska at Omaha.

**IX. UNIVERSITY CONSENT AGENDA**

Motion Moved by Hotovy and seconded by Valquier Chavez to approve items IX-A-1, IX-B-1, IX-C-1, and IX-C-2

**A. ACADEMIC AFFAIRS**

IX-A-1 President's Personnel Recommendations

**B. BUSINESS AFFAIRS**

University of Nebraska

IX-B-1 Approve the appointment of Chris J. Kabourek to serve on the AkSarBen Future Trust Board of Directors as the University of Nebraska appointee for a term of two years commencing January 1, 2019 through December 31, 2020

**C. AUDIT, RISK AND COMPLIANCE**

University of Nebraska

IX-C-1 Accept the audited financial statements of the University of Nebraska and related entities

IX-C-2 Approve the addition of the proposed *Board of Regents Policy* RP-1.1.3, Reporting Suspected University-Related Misconduct and Prohibition Against Retaliation (Whistleblower Policy)

See Attachment 2 to the minutes for the full text of the *Board of Regents Policy* RP-1.1.3 (pages 101-102)

Action Student Opinion: Voting Aye: Valquier Chavez, Hotovy, and Krejdl. Voting Aye: O'Connor, Phares, Pillen, Schafer, Weitz, Clare, and Hawks. Not present: Kenney and Traynor. Motion carried.

President Bounds made a brief presentation on the budget for this and future years.

**X. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

Motion Moved by Schafer and seconded by Valquier Chavez to approve item X-A-1

University of Nebraska at Omaha

X-A-1 Approval is requested to create the Master of Science in IT Innovation to be administered by the Office of Graduate Studies, School of Interdisciplinary Informatics, and College of Information Science and Technology

Action Student Opinion: Voting Aye: Hotovy, Krejdl, and Valquier Chavez. Voting Aye: Phares, Pillen, Schafer, Weitz, Clare, Hawks, and O'Connor. Not present: Kenney and Traynor. Motion carried.

Motion Moved by Phares and seconded by Hawks to approve item X-A-2

X-A-2 Approval is requested to create the School of Accounting in the College of Business Administration

There was discussion

Action Student Opinion: Voting Aye: Krejdl, Valquier Chavez, and Hotovy. Voting Aye: Pillen, Schafer, Weitz, Clare, Hawks, O'Connor, and Phares. Not present: Kenney and Traynor. Motion carried.

Motion Moved by Pillen and seconded by Phares to approve item X-A-3

Nebraska College of Technical Agriculture

X-A-3 Approval is requested to eliminate the Laboratory Animal Care undergraduate certificate

There was discussion

Action Student Opinion: Voting Aye: Valquier Chavez, Hotovy, and Krejdl. Voting Aye: Schafer, Weitz, Clare, Hawks, O'Connor, Phares, and Pillen. Not present: Kenney and Traynor. Motion carried.

University of Nebraska

X-A-4 Action on item X-A-4, the award of Honorary Degrees and Awards, was deferred until after the opportunity for a closed session.

**B. BUSINESS AFFAIRS**

Motion Moved by Schafer and seconded by Hotovy to approve item X-B-1

University of Nebraska at Kearney

X-B-1 Authorize the President, in consultation with the University of Nebraska at Kearney Chancellor and the Executive Committee of the Board, to approve terms and conditions to complete the acquisition of real property at 1800 West 24th Street, Kearney, NE, and disposal of real property at 1200 15th Avenue, Kearney, NE

There was discussion. There being no objection, by general consent of the Board, the action was supplemented by that material underlined above.

Action Student Opinion: Voting Aye: Hotovy, Krejdl, and Valquier Chavez. Voting Aye: Clare, Hawks, O'Connor, Phares, Pillen, Schafer and Weitz. Not present: Kenney and Traynor. Motion carried.

Motion Moved by Phares and seconded by Schafer to approve item X-B-2

University of Nebraska-Lincoln

X-B-2 Approve an agreement between LinPepCo Partnership and UNL granting the exclusive license to pouring and vending rights on the UNL campuses for a period of ten (10) years

There was discussion

Action Student Opinion: Voting Aye: Krejdl, Valquier Chavez, and Hotovy. Voting Aye: Hawks, O'Connor, Phares, Pillen, Schafer, Weitz, and Clare. Not present: Kenney and Traynor. Motion carried.

Motion Moved by Hawks and seconded by Pillen to approve item X-B-3

X-B-3 Approve budget increase for the Mabel Lee Hall project

There was discussion

Action Student Opinion: Voting Aye: Valquier Chavez, Hotovy, and Krejdl. Voting Aye: O'Connor, Phares, Pillen, Schafer, Weitz, Clare, and Hawks. Not present: Kenney and Traynor. Motion carried.

Motion Moved by Pillen and seconded by Hotovy to approve items X-B-4 and X-B-5

Additional Items – University of Nebraska

X-B-4 Approve amendments to the Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association (UNKEA) for the 2019-2021 biennium

X-B-5 Approve amendments to the Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Omaha American Association of University Professors (UNO/AAUP) for the 2019-2021 biennium

There was discussion

Action Student Opinion: Voting Aye: Valquier Chavez, Hotovy, and Krejdl. Voting Aye: O'Connor, Phares, Pillen, Schafer, Weitz, Clare, and Hawks. Not present: Kenney and Traynor. Motion carried.

**C. FOR INFORMATION ONLY**

- X-C-1 University of Nebraska Strategic Planning Framework
- X-C-2 University of Nebraska Strategic Framework Accountability Measures
- X-C-3 Calendar of establishing and reporting accountability measures
- X-C-4 University of Nebraska Strategic Dashboard Indicators
- X-C-5 Board of Regents agenda items related to the University of Nebraska Strategic Framework

**D. REPORTS**

- X-D-1 Quarterly Personnel Reports for the period July through September 2018
- X-D-2 Strategic Framework Metrics: Need-Based [1-a-iii] and Merit-Based [3-b-ii] Financial Aid, Graduation Rates [1-b-iii], Faculty Diversity [2-a-iii]
- X-D-3 Annual Tenure Density Report
- X-D-4 Expedited Approval of the Engineering Management Graduate Certificate in the College of Engineering at the University of Nebraska-Lincoln
- X-D-5 Renaming the Joint University of Nebraska at Omaha and University of Nebraska Medical Center Master of Arts in Applied Behavior Analysis to the Master of Science in Applied Behavior Analysis
- X-D-6 Report of Bids and Contracts
- X-D-7 Quarterly Report of Gifts, Grants, Contracts and Bequests
- X-D-8 Intermediate Design Report: University of Nebraska-Lincoln C.Y. Thompson Learning Commons
- X-D-9 Naming room 151 the "Loper Think Tank" and room 132 "Union Square" in the Nebraskan Student Union at the University of Nebraska at Kearney
- X-D-10 Report on Commitment to Free Expression

Chairman Clare accepted the reports on behalf of the Board.

**XI. ADDITIONAL BUSINESS**

Motion Moved by Valquier Chavez and seconded by Schafer that the Board go into closed session as authorized by Neb. Rev. Stat. § 84-1410 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:

- Personnel matters involving members of the university staff; and
- Honorary Degrees.

Chairman Clare declared that the closed session would be strictly limited to a discussion of:

- Personnel matters involving members of the university staff; and
- Honorary Degrees.

Action Student Opinion: Voting Aye: Hotovy, Krejdl, and Valquier Chavez. Voting Aye: Phares, Pillen, Schafer, Weitz, Clare, Hawks, and O'Connor. Not present: Kenney and Traynor. Motion carried.

The Board went into closed session at 12:01 p.m. The Board reconvened the open meeting at 12:22 p.m.

Motion Moved by Weitz and seconded by Hawks to approve item X-A-4

X-A-4 Approve the award of Honorary Degrees and Awards

Action Student Opinion: Voting Aye: Hotovy, Krejdl, and Valquier Chavez. Voting Aye: Weitz, Clare, Hawks, O'Connor, Phares, Pillen, and Schafer. Not present: Kenney and Traynor. Motion carried.

## **XI. ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Clare at 12:24 p.m.

Respectfully submitted,

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Carmen K. Maurer  
Corporation Secretary

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Timothy F. Clare  
Chairman of the Board

**ATTACHMENT 1**

**NOTICE OF MEETING**

Notice is hereby given that the Board of Regents of the University of Nebraska will meet in a publicly convened session on Friday, January 25, 2019, at 10:15 a.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska.

An agenda of subjects to be considered at said meeting, kept on a continually current basis, is available for inspection in the office of the Corporation Secretary of the Board of Regents, Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, or at <https://nebraska.edu/regents/agendas-and-minutes>.

A copy of this notice will be delivered to the Lincoln Journal Star, the Omaha World-Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, the Lincoln office of the Associated Press, members of the Board of Regents, and the President's Council of the University of Nebraska.

Dated: January 18, 2019

Carmen K. Maurer  
Corporation Secretary  
Board of Regents  
University of Nebraska



**ATTACHMENT 2  
ADDENDUM IX-C-2**

Addition to the *Policies of the Board of Regents of the University of Nebraska*, RP-1.1.3,  
Reporting Suspected University-Related

**University of Nebraska Board of Regents' Policy**

**RP-1.1.3 Reporting Suspected University-Related Misconduct and Prohibition  
Against Retaliation (Whistleblower Policy)**

The general purpose of this policy is to protect any University of Nebraska student, employee or other member of the University community (hereinafter "Individuals") who makes a good-faith disclosure of suspected University-related misconduct. This policy supplements the existing Nebraska whistleblower law, the Nebraska State Effectiveness Act, Neb. Rev. Stat. § 81-2701 to § 81-2711, which protects state employees who report wrongdoing to elected State officials.

1. Reporting Suspected University-Related Misconduct

The University of Nebraska places a high value on its ability and commitment to conduct its affairs ethically and in compliance with the law. The University encourages individuals to make good-faith reports of suspected University-related misconduct. Under this policy, misconduct includes a violation of the law or University policies or procedures and may occur on or off campus. Retaliation in response to such reports is prohibited and is a violation of University policy.

Individuals (including groups) wishing to report suspected University-related misconduct may use the University online reporting system/hotline (hotline). Reports made on the hotline will be directed to a designated University official. The University of Nebraska hotline is available for online reporting at <https://secure.ethicspoint.com/domain/media/en/gui/52126/index.html> or by phone at 844-348-9584. Individuals may also report suspected University-related misconduct to a supervisor, campus Ombudsperson or Compliance Office.

Reports of suspected misconduct may be made anonymously. Reports and the related investigations will be kept confidential to the extent possible under law and consistent with the need to conduct an adequate investigation and take corrective action.

2. Retaliation Prohibited

No individual shall take retaliatory action against any other individual for reporting suspected University-related misconduct or for assisting in an authorized investigation of alleged University-related misconduct. Retaliation under this policy means an adverse action or threat made against an individual in response to a good-faith report of a known or suspected violation of law or policy. Retaliation, which includes any action that is likely to deter whistleblowing, may result in disciplinary action up to, and including, expulsion, termination of employment or termination of contract.

Individuals who believe they have been subjected to retaliation in violation of this policy should submit a report with the University's hotline or file a complaint with the Executive Vice President and Provost or the Associate Vice President for Human Resources.

### 3. Exclusions

This policy does not protect an individual who files a report or provides information that the individual knows to be false or has a reckless disregard for or willful ignorance of the report or information's truth or falsity. An individual who is determined to have provided such information may be subject to disciplinary action, up to and including expulsion, termination of employment or termination of contract.

Furthermore, this policy is not intended to prohibit supervisors or management from taking other valid action, including disciplinary action, in the usual scope of their duties.

### 4. Other Protections

#### Rights under the Nebraska State Effectiveness Act

a. The Nebraska State Effectiveness Act seeks to encourage employee whistleblowing activities by providing some legal protections for state employees who disclose information about wrongdoing in state government to the Nebraska Public Counsel, also referred to as the Ombudsman's Office, or to an elected state official. Employees who believe they have information about any violation of law, gross mismanagement or gross waste of funds, or any situation that creates a substantial and specific danger to public health or safety, may report that information to the Public Counsel or to an elected state official.

#### b. Rights under Federal Grants & Contracts

Additionally, employees of contractors, grantees, subcontractors, and subgrantees, when working on Federal grants and contracts in connection with the University of Nebraska, have certain whistleblower rights and remedies afforded by statute, including but not limited to 41 U.S.C. § 4712 (Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information). Accordingly, all such contractors, grantees, subcontractors, and subgrantees are required to comply with all applicable laws.