



Special Board of Regents Meeting

Varner Hall Board Room

Meeting Book - 2025-02-25 Special Board of Regents Meeting

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For Information Only

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AGENDA
THE BOARD OF REGENTS
OF THE UNIVERSITY OF NEBRASKA
Varner Hall, 3835 Holdrege Street
Lincoln, Nebraska 68583-0745
Tuesday, February 25, 2025
10:00 a.m.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON FEBRUARY 7, 2025
- IV. PRESIDENT’S REMARKS
- V. PUBLIC COMMENT
The Standing Rules of the Board provide that any person who gives notice to the Corporation Secretary of the Board may speak to any item that is not on the agenda. In addition, any person may appear and address the Board of Regents on any item on the agenda for this meeting.
- VI. UNIVERSITY ADMINISTRATIVE AGENDA
 - A. FOR INFORMATION ONLY
 - 1. Amendments to Regents’ Policies RP-3.1.3, RP-5.2.1, RP-5.7.4, RP-5.8.4, Addendum VI-A-1
 - 2. Updates to Section 3.0 of the Bylaws of the Board of Regents of the University of Nebraska, Addendum VI-A-2
- VII. ADDITIONAL BUSINESS



BOARD OF REGENTS AGENDA ITEM SUMMARY

Executive Committee

February 25, 2025

AGENDA ITEM: Amendments to Regents' Policies RP-3.1.3, RP-5.2.1, RP-5.7.4, RP-5.8.4.

Review **Review + Action** **Action** **Discussion**

This is a report required by Regents' policy.

PRESENTERS: Paul Kenney, Chair

PURPOSE & KEY POINTS:

Review proposed amendments to the attached Regents' Policies to implement necessary updates, and clarify language, in compliance with Executive Orders that have been released and additional Department of Education mandates.

RECOMMENDATION

This item is presented for information only and will be brought back to the Board for consideration at its next meeting.



University of Nebraska

Board of Regents Policies

Contains Amendments through February 9, 2024

Chapter 3. Terms and Conditions of Employment

RP-3.1 Equal Opportunity/Affirmative Action

RP-3.1.1 Nondiscrimination on the Basis of Individual Characteristics: Employees

Employees on each campus of the University of Nebraska shall be employed and equitably treated in regard to the terms and conditions of their employment without regard to individual characteristics other than qualifications for employment, quality of performance of duties, and conduct in regard to their employment in accord with University policies and rules and applicable law.

NOTE: The portion of this policy pertaining to students is at RP-5.1.1

Reference: BRUN, Minutes, 54, p. 145 (May 12, 1989).

RP-3.1.2 Policy for Americans with Disabilities

1. References

- a. University of Nebraska Handicapped Accessibility Guidelines, June 30, 1978, Executive Council.
- b. Federal Register, Volume 42, No. 86; May 4, 1977; Part IV; Department of Health, Education, and Welfare, 45 CFR Part 84 - Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
- c. Federal Register, Volume 56, No. 144; July 26, 1991:
 - 1) Part II; Department of Justice, 28 CFR Part 35 [Order No. 1512-91]- Nondiscrimination on the Basis of Disability in State and Local Governments, Final Rule.
 - 2) Part III; Department of Justice, 28 CFR Part 36 [Order No. 1513-91] - Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities.
 - 3) Part V; Equal Employment Opportunity Commission, 29 CFR Part 1630 - Equal Employment Opportunity for Individuals with Disabilities, Final Rule.
- d. The Americans with Disabilities Act Title I Technical Assistance Manual, January 24, 1992, U.S. Equal Employment Opportunity Commission.
- e. The Americans with Disabilities Act Title II Technical Assistance Manual, January 24, 1992, U.S. Department of Justice, Civil Rights Division, Office of the Americans with Disabilities Act.
- f. Title II Highlights, U.S. Department of Justice, Civil Rights Division, Office of the Americans with Disabilities Act.

2. Definitions

- a. Americans with Disabilities Act (ADA). An act of Congress providing comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

- b. Title I. Refers to that portion of the ADA pertaining to employment practices, or to the standards and regulations implementing this portion of the act, adopted by the agency responsible for its enforcement.
- c. Title II. Refers to that portion of the ADA pertaining to state and local government services, or to the standards and regulations implementing this portion of the act, adopted by the agency responsible for its enforcement.
- d. Public Entity. Any state or local government or any department, agency, or other instrumentality of a state or local government.
- e. Structural Modification. Any action involving changes to existing facilities which is directed toward the removal of architectural barriers, including communications barriers, which are structural in nature.

1. Purpose

- a. The purpose of this document is to set forth the policy of the Board of Regents to promote compliance with Title I and Title II of the Americans with Disabilities Act.
- b. The University of Nebraska has maintained a program of nondiscrimination on the basis of disability since the implementation in 1977 of regulations pertaining to the Rehabilitation Act of 1973.
- c. The Americans with Disabilities Act of 1990 (ADA) also addresses nondiscrimination on the basis of disability in much the same way as the earlier Rehabilitation Act. Two portions of the ADA directly affect the University of Nebraska: Title I, prohibiting discrimination in employment practices; and Title II, obligating the University to make all its programs, activities, and services available to persons with disabilities.
- d. The specific compliance requirements imposed by the ADA and the updated technical standards for accessibility enumerated in the regulations implementing ADA affect each unit of the University and require the reevaluation and updating of policies, plans, and procedures originally put into place following enactment of the Rehabilitation Act.

2. Objectives

- a. Reiterate the compliance requirements of the ADA, and identify those which are related to facilities and those which are related to employment.
- b. Describe the accessibility standards which should be used for current and future alteration, addition, and new construction projects.
- c. Review the standard of "undue burden" as it applies to any action directed toward structural modifications for the purpose of achieving program accessibility.
- d. Define the format for the "transition plan" and provide information regarding priority and budgeting for structural alterations required to achieve program accessibility.
- e. Define the responsibilities of the President's staff and the campus administration as they relate to ADA.

3. Policy

- a. It is the policy of the University to comply with Title I and Title II of the Americans with Disabilities Act.
 - b. The University is not required to take any action which would result in a "fundamental alteration" of any program, activity, or service or to take any action which would result in "undue financial and administrative burdens".
 - c. The University will adopt accessibility standards as follows: For alterations and additions, select the standard (UFAS or ADAAG) which provides the better result in terms of accessibility and budget based upon an analysis of the project; for new construction and free-standing buildings, use ADAAG.
4. Guidelines for the ADA Transition Plan
- a. Guidelines for an ADA "transition plan" shall be promulgated by the Vice President for Business and Finance. The campuses should comply with the following instructions relative to the transition plan:
 - 1) If the transition plan identifies any structural modifications which can be completed without supplemental budget appropriations, schedule these projects for completion by January 26, 1993.
 - 2) For projects requiring supplemental funding, prioritize these modifications in accordance with the ADA regulations. Divide this grouping into two equal increments based upon the cost of the projects. Schedule the higher priority increment for completion by January 26, 1994, (assuming supplemental funding in July of 1993) and the remaining increment for completion by January 26, 1995 (assuming supplemental funding in July of 1994).
 - b. When scheduling projects, observe the recommended priorities defined in the ADA regulations which are (1) accessible entrance into the facility; (2) access to goods and services; (3) access to rest rooms; and (4) any other measures necessary. However, if a different priority order would produce a more effective mix of barrier removal measures, such a change is acceptable.
5. Accessibility Standards and undue Burden Determination
- a. Accessibility Standards. Under ADA regulations, alterations (i.e., remodeling, renovation, rehabilitation, and changes or rearrangements in structural parts or elements or plan configurations of walls) to an existing building may require that an accessible path of travel to the altered area be provided as a part of the project. The applicable UFAS and ADAAG standards should be evaluated, and the most appropriate standard should be selected in accordance with Section 5.c. above.
 - b. Undue Burden Determination. When, in the course of developing plans and strategies for ADA compliance, it appears that the removal of any particular accessibility barrier would result in an undue financial or administrative burden, a decision shall be made by the Vice Chancellor for Business and Finance. The transition plan must include a statement of the reasons for the decision.
6. Compliance Requirements: Activities and Enforcement Dates
- a. Designate individual to oversee ADA compliance (Title I and Title II). Enforcement date is January 26, 1992.

- b. Provide notice to public explaining ADA Title II applicability to the University's programs, services, and activities (with regard to facilities). Enforcement date is January 26, 1992.
- c. Develop and publish grievance procedure. Enforcement date is January 26, 1992.
- d. Prepare in writing a "transition plan" (with regard to facilities). Enforcement date is July 26, 1992.
- e. Review communications systems and processes; prepare a plan to provide auxiliary aids or services which promote effective communication. Enforcement date is January 26, 1992.
- f. Assure that all new construction, including alterations to existing buildings complies with ADA Accessibility Guidelines for any construction begun after January 26, 1992 (with regard to facilities). Enforcement date is January 26, 1992.
- g. Review and revise, as necessary, policies and procedures related to employment and employment practices. Enforcement date is July 26, 1992.
- h. Complete self-evaluation and implement all associated University policy and procedure modifications. Enforcement date is January 26, 1993.
- i. Complete structural modifications required to provide program accessibility as described in "transition plan" (with regard to facilities). Enforcement date is January 26, 1995.

7. Duties of the Administration

The duties of the Administration related to compliance with the Americans with Disabilities Act of 1990 are outlined below:

- a. President
 - 1) Review and coordinate on a continuing basis all University policies and practices to ensure equitable treatment of persons with disabilities.
 - 2) Disseminate to the general University community notifications regarding the University's policy and guidelines and its commitment to nondiscrimination on the basis of disability.
 - 3) Provide assistance and additional guidance, as necessary, to aid the campuses in complying with the Federal regulations and these guidelines.
- b. Vice President for Business and Finance
 - 1) Promulgate guidelines for the ADA transition plan.
 - 2) Monitor campus compliance with the Federal regulations and these guidelines.
 - 3) Request data, reports, and analyses, as needed, from the campuses concerning compliance activities in order to meet Federal, State, Regental, and Presidential review needs.
- c. Chancellors
 - 1) Assign authority and responsibility for the coordination of efforts to comply with the Federal regulations and these guidelines.

- 2) Adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information on the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities.
- 3) Assure that self-evaluations as required by Federal regulations are made and maintained on file for public inspection.
- 4) Assure that all programs and activities are accessible to qualified persons with disabilities and, where structural changes are necessary, modifications are to be completed as funds are made available.
- 5) Monitor compliance with the Federal regulations and these guidelines.
- 6) Provide data, reports, and analyses, as needed, in order to meet Federal, State, Regental, and Presidential review needs.

8. Responsibility and Accountability

- a. The President shall establish rules and procedures to assure that the University is in compliance with the Americans with Disabilities Act of 1990.
- b. The Chancellor will be responsible for assuring that the campus is in compliance with the Americans with Disabilities Act of 1990 and will designate an individual to coordinate and oversee compliance with the Act.
 - 1) The ADA Coordinator. The coordinator will oversee the requirements of the ADA Act and coordinate the efforts to comply with and fulfill its responsibilities under Titles I and II including the investigations of complaints.
 - 2) The Facilities Directors. The Campus Director of Facilities will be responsible for implementing compliance activities required by the Act which are related to facilities.
 - 3) The Human Resources/Personnel Director. The Campus Director of Human Resources/Personnel will be responsible for identifying and implementing compliance activities required by the Act which are related to employment and employment practices.
 - 4) The Telecommunications Director/Manager. The Campus Director/Manager of Telecommunications will be responsible for identifying and implementing compliance activities required by the Act which are related to telecommunications.

9. Reporting

A copy of the transition plan and subsequent revisions or modifications shall be submitted annually by June 30 or as required by the Vice President for Business and Finance.

10. Prior Guidelines and Policies (Repealed)

University of Nebraska Affirmative Action Plan for the Handicapped, adopted April 16, 1977, BRUN, Minutes, 40, p. 127, is repealed.

Reference: BRUN, Minutes, 58, p. 12 (February 13, 1993).

RP-3.1.3 Equal Opportunity ~~and Affirmative Action~~ in Employment

Scope

This policy applies to equal opportunity ~~and affirmative action~~ in employment, ~~including student employment~~, at the University of Nebraska, and vendors and contractors with whom the University engages. Equal employment opportunity requirements apply to recruitment, hiring, promotion, job assignments, demotion, transfer, discharge, pay, fringe benefits, job training, classification, referral, working conditions, and other aspects of employment.

Purpose

This policy establishes the expectations, consistent with the law, for providing equal employment opportunities ~~and programming and planning~~ within the University of Nebraska.

Policy Statement

The University of Nebraska is an Equal Opportunity ~~and Affirmative Action~~ employer. It is the policy of the University of Nebraska to adopt and support measures designed to prevent and eliminate discrimination against employees and prospective employees of the University of Nebraska ~~based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation~~. The University of Nebraska does not condone or tolerate discrimination.

In support of this policy and in accordance with federal law, the University of Nebraska is committed to the implementation of employment programs to recruit, employ, and promote qualified individuals ~~without regard to race, color, sex, religion, national origin, or political affiliation, belonging to underrepresented populations, individuals with disabilities, and veterans and disabled veterans~~ as defined in state and ~~federal law~~. This commitment is pursued in a manner consistent with the Nebraska Constitution, which prohibits discrimination against, or grants of preferential treatment to, any individual or group ~~on the basis of race, sex, color, ethnicity, or national origin~~ in the operation of public employment, public education, or public contracting.

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- ~~1. Each University of Nebraska campus shall maintain a written affirmative action plan for the recruitment, employment, and promotion of individuals belonging to underrepresented populations: individuals with disabilities, as required under Executive Order 11246, as amended; individuals with disabilities as required under Section 503 of the Rehabilitation Act of 1973, as amended; and veterans and disabled veterans as defined in federal and state law. The contents and frequency of these affirmative action plans shall conform with the law.~~
2. The University shall periodically examine all employment policies, practices, and procedures dealing with recruiting, interviewing, testing, screening, selection, placement, classification, evaluation, transfer, promotion, training, compensation, fringe benefits, layoffs, and terminations to determine whether such actions show evidence of discrimination. The University shall take remedial action to correct discrimination if it is found to exist.
3. The University shall establish and publish effective grievance procedures for addressing discrimination complaints.
4. Consistent with the law and best practice, the University shall disseminate equal employment opportunity policies to the university community so that everyone is apprised of the University of Nebraska's commitment to and responsibility for ensuring equal opportunity in employment.

Oversight, Roles, and Responsibilities

The President and Chancellors shall be responsible for establishing and maintaining institutional efforts to promote equal opportunities in employment and for developing programs as required by law and this policy.

RP-3.1.3 Equal Opportunity/Affirmative Action Guidelines

Purpose

The purpose of this document is to set forth the policy of the Board of Regents to promote compliance with the equal opportunity law(s) based Civil Rights Act of 1964.

The University of Nebraska has, and will continue to maintain, a program of nondiscrimination equal opportunity in the implementation of the Civil Rights Act.

1. Internal and External Communications

a. Employees and Applicants

Copies of the Equal Opportunity and Affirmative Action Guidelines will be made accessible to all personnel of the University of Nebraska and all applicants for employment. Special meetings or orientation sessions will be organized under procedures developed by the EO/AA Officers to inform employees of their rights and obligations under the University's EO/AA Guidelines.

b. Community Groups

Copies will be made available to other interested and relevant persons, agencies, and organizations.

c. Posters and Bulletins

In addition, the University will continue to display official equal opportunity/affirmative action posters in conspicuous locations normally trafficked by University students, employees, and applicants for employment.

d. Policy and Procedure Manuals

Policy manuals, employee handbooks, and student bulletins of the University will include EO/AA statements based on these guidelines.

e. Hiring Authorities and Supervisory Staff

In addition to receiving copies of these guidelines for implementation, responsible supervisory personnel will be given special orientation sessions regarding their provisions and general equal employment opportunity/affirmative action law. Update sessions will be held periodically. Responsibility for equal employment opportunity/affirmative action orientation and training sessions will be assigned to the EO/AA Officers.

All employees charged with administration will be given orientation regarding these guidelines, and provisions of general equal employment opportunity/affirmative action law.

f. Recruitment Sources

All University recruitment sources will be informed of the University's EO/AA Guidelines. Such sources include employment agencies, other colleges and universities, individuals solicited for nominations, community service organizations, etc.

2. ~~Responsibility for Administration~~

a. ~~The President~~

~~The President of the University of Nebraska has ultimate responsibility for the development and implementation of the Equal Opportunity and Affirmative Action Guidelines and operational plans consistent with state and federal requirements.~~

b. ~~The Chancellors~~

~~Basic responsibility at each campus rests with the Chancellor. Each Chancellor shall ensure that these EO/AA Guidelines and specific campus plans (will be followed) and will designate EO/AA Officers to assist in coordinating and implementing them at the campus level.~~

c. ~~Campus EO/AA Plans~~

~~Each of the campuses will develop or revise as necessary its unique and specific EO/AA plan annually.~~

~~The plans shall be addressed to the specific programs, processes, and procedures to be utilized on that campus in each area mandated in these EO/AA Guidelines and all other provisions required by federal law.~~

~~In addition, each plan shall:~~

- ~~1) enumerate the specific timetable and process to be used for generating and meeting employment goals (including plans to implement retrenchment, if applicable);~~
- ~~2) assign specific accountability for implementation of the provisions of the plan. Describe monitoring systems to be used and sanctions to be imposed if "good faith" efforts are not made to realize the goals.~~
- ~~3) enumerate the data profiles that will be collected by the campus (in addition to as those required federally), mechanisms to be used to collect and evaluate the data, to whom they will be reported, and what information will be distributed in a public forum.~~
- ~~4) list auxiliary and support programs the campus will utilize.~~
- ~~5) enumerate the personnel and fiscal resources that will be designated to implement the plan as necessary.~~

d. ~~Campus EO/AA Officers~~

~~The campus EO/AA Officers will interpret and coordinate the implementation of these EO/AA Guidelines; they may be advised and assisted by the Affirmative Action Liaison system leadership Committees and appropriate campus task forces. Responsibilities of the EO/AA Officers will include, but not be limited to:~~

- ~~1) reviewing training programs; hiring, compensation, and promotion patterns; recruitment efforts, etc., which have a direct bearing on the attainment of goals and objectives.~~
- ~~2) preparing required government reports concerning equal opportunity and affirmative action.~~

- 3) ~~collecting and presenting statistical and other information required by these EO/AA Guidelines.~~
- 4) ~~providing the technical and administrative assistance required to implement these guidelines.~~
- 5) ~~establishing and maintaining University liaison with organizations specializing in recruitment of protected class members and assisting in the evaluation of the effectiveness of these organizations.~~
- 6) ~~reviewing campus performance in the following areas: Distribution and posting of Policy Statements. Integration of and equality in the use of facilities. Unlawful discrimination in University-sponsored activities and in all employment-related practices and procedures.~~
- 7) ~~preparing an annual EO/AA report for the Chancellor of each campus. A copy will be provided to the President and the Board of Regents.~~
- 8) ~~ensuring maintenance of records which document employment actions (recruiting, hiring, promoting, etc.) in a manner that facilitates achievement of goals.~~
- 9) ~~serving on a University-wide Affirmative Action Council which advises the President.~~

e. ~~Other Employees~~

~~All employees are expected to contribute to the equal opportunity philosophy of the University by their acceptance of, and compliance with, the EO/AA Guidelines.~~

~~All administrative officers and supervisory personnel within the University, including hiring committees making recommendations on appointments, are responsible for performing their duties in an equal opportunity, nondiscriminatory manner.~~

~~Administrative officers, as identified in these Guidelines, include the President, the Vice Presidents, the Chancellors, Vice Chancellors, Deans, directors, and department chairpersons. All campus officers in charge of academic, nonacademic, and student employment have the responsibility for carrying out the objectives set forth by these EO/AA Guidelines.~~

~~For those employees who are subjects of performance reviews, such evaluations must include an area for commentary relative to the person's performance in supporting and carrying out the goals and objectives of the University's EO/AA Guidelines. Compliance shall be considered in determining annual salary adjustments, promotion, and continuing employment.~~

3. ~~Inventory of Personnel, Internal Audits, and Reports~~

a. ~~Work Force Analysis~~

~~Each major administrative unit of the University maintains personnel records classified by race, sex, major occupational activity, job title, salary, date of hire, educational level, and other relevant data. These statistical data are used for state and federal compliance agency reports.~~

~~University academic and nonacademic units at each campus are required, at least annually, to study the race-sex profile of their staff and to provide justification and supporting comments related to:~~

- 1) — Absence of minority and female or male representation in the ranks and classifications throughout the unit.
- 2) — Concentrations of women and minorities in certain job types.
- 3) — Relative absence of women and minorities in positions at decision-making levels.

- 4) ~~Relative distribution of minorities, women, and non-minority men in positions with potential for promotion.~~
- 5) ~~Salary and rank differentials for minorities and females.~~
- 6) ~~Staff turnover, vacancies, new appointments, recruitment, and promotions as they impact minorities and women.~~
- 7) ~~Distribution and performance of women and minorities as graduate research and teaching assistants.~~

b. ~~Utilization Analysis~~

~~In compliance with applicable government regulations, the University will conduct an annual utilization analysis. This analysis will separately identify minorities and women.~~

~~This analysis will determine, on a departmental or unit basis, discrepancies between the employment rate of minorities and women and their availability in the relevant labor markets.~~

~~Estimates of availability will be based on the relative proportion of qualified women and minorities in each academic and nonacademic labor market using criteria which are validly related to job performance.~~

c. ~~Goals and Timetables~~

~~Each campus will annually update its goals and timetables for each major job category in which minorities and women are found to be underutilized.~~

~~Such goals and timetables will be stated as projections of future representation of women and minorities as a result of implementation of these EO/AA Guidelines.~~

~~Such projections will be based on the availability of qualified minorities and women, expected position openings, and other applicable factors.~~

~~Goals and timetables will not be administered in a manner which discriminates in the hiring, appointment, promotion, or granting of tenure to any individual solely on the basis of race, color, creed, religion, sex, national origin, age, handicap, marital status, or Vietnam-era veteran status.~~

~~Goals and timetables will not be projected, and utilization analyses will not be conducted, on the basis of religion, age, handicap, veteran, or marital status.~~

4. ~~Internal Audits and Reports~~

~~The campus EO/AA Officers will annually prepare a report analyzing their respective campuses' progress toward the University's equal opportunity and affirmative action objectives.~~

~~The annual report will include a review of the following elements: (1) work force analysis; (2) training and upgrading programs; (3) utilization analysis; (4) promotions, demotions, and transfers; (5) progress toward meeting goals and timetables; (6) employee grievances; (7) compensation patterns; (8) changes in availability of minorities and women; (9) recruitment and application procedures; (10) job classification systems; and (11) comparative hiring rate of minorities and women.~~

5. ~~Personnel Policies and Practices~~

a. ~~General personnel Standards and Procedures~~

~~The University of Nebraska will mobilize its resources to focus on the problems of employment and promotion opportunities for women and minorities. Each organizational unit of the University shall have on file the standards and procedures which govern all of its employment practices including any tests in use and the criteria by which qualifications for appointment, retention, or promotion are judged. Deans, directors, department chairpersons, etc., shall make a review and determine whether such standards and criteria are relevant to the duties of the particular position in question. This requirement does not ignore or obviate the range of permissible discretion which characterizes employment judgments, particularly in the academic area. If the criteria and standards of selection appear to reject a higher proportion of minority and women applicants, the selection procedure must be rigorously reviewed.~~

b. ~~Recruitment~~

~~The University will undertake a vigorous program of affirmative recruitment for minorities and women in all job categories in which they are found to be underutilized.~~

~~Campuses will actively continue to communicate their employment needs through advertisements to graduate schools, training programs, disciplinary conventions, and job registers. Recognizing that traditional methods of recruiting alone will not produce the desired gains in minority and female employment, the The University will continue to expand its efforts, utilizing appropriate resources such as community agencies (Urban League, Comprehensive Manpower, YWCA, etc.), high schools, colleges, and universities with high minority enrollment, minority and women's registries within professional organizations, trade schools, minority and female community leaders, and advertising in minority-oriented broadcast and print media.~~

~~Recruitment of women and minorities in administration internships and in the graduate teaching and research assistantship programs will be an integral part of this effort.~~

~~A written justification must be provided to the appropriate campus EO/AA Officers by supervisory personnel in instances when apparently qualified minorities and women are passed over for training, upgrading, or promotion.~~

c. ~~Upgrading and Promotion~~

~~To increase the utilization of the skills of all employees, scholarship benefits are offered so that academic, management, technical, clerical, and data processing courses that are available in the University may be taken each year. Each administrative unit should maintain a record of the qualifications of present employees for promotional consideration. Minority and female All employees will be advised of vacancies which would facilitate upward job mobility.~~

~~Department chairpersons will be asked to review carefully the qualifications of all faculty with particular attention given to women and minorities to ensure that those qualified for promotion have not been delayed in rank, longer than any non-minority males employees with comparable qualifications.~~

~~A written justification by supervisory personnel must be provided in cases where qualified women and minorities are passed over for training, upgrading, or promotion.~~

d. ~~Testing~~

~~In recognition of the fact that requirements which appear to be fair may not be related to the job(s) to which they apply, and may have the effect of denying minority group members or women ready access to employment opportunities, the University EO/AA Officers will continue to examine all testing used for employee selection. Testing must be in compliance with the Uniform Guidelines on Employee Selection Procedures and other Federal regulations.~~

e. ~~Job Classifications~~

~~Consistent with these guidelines, each campus will continually review employment qualifications and maintain only those which can be established as bona fide occupational qualifications. Such review will be made of all job or class designations and descriptions and look toward the elimination of any classification that segregates employees by race, color, religion, sex, marital status, national origin, disability, or military service during the Vietnam era.~~

~~Qualifications to be analyzed will depend upon job requirements and may include the following:~~

- ~~1) Education requirements.~~
- ~~2) Requirements for specific job experience.~~
- ~~3) Requirements for, and weight given to, personal references.~~
- ~~4) Exclusionary policies or preferences based on and individual's height, weight, and related physical characteristics.~~
- ~~5) Other valid job-related requirements authorized by law.~~

~~The EO/AA Officers will advise the appropriate University officials of any qualification which appears to have an adverse impact on minorities or women. A qualification normally will be regarded as having an adverse impact if its application results in a hiring or promotion rate for minorities or women which is 80 percent or less than that of other individuals.~~

f. ~~Equal Pay~~

~~The University is committed to the principle and practice of equal pay for equal work, as required by the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, as amended and other laws.~~

~~The EO/AA officers will review pay differences within occupational classes. If these differences appear to be based on sex or minority race, color, religion, sex or national origin status rather than qualifications, responsibilities, and performance, Any inequities will be noted and communicated to the Director of Personnel and/or the appropriate Vice-Chancellor. These inequities should be taken into account in recommendations for annual salary adjustments, promotions, and continued employment.~~

g. ~~Employee Benefits~~

~~The Personnel Department and affirmative action officers will periodically review all employee fringe benefit programs to ensure that they are available to all employees without discrimination on any grounds covered by these EO/AA Guidelines. The reviews~~

~~will include all medical, hospital, accident, and life insurance programs and all retirement and pension programs.~~

~~The University will not participate in, require, or encourage its employees to participate in any medical insurance program that discriminates unfairly disadvantages with regard to coverage of any illness or disability on the basis of race, color, creed, religion, sex, national origin, age, handicap, or marital status. This includes illness or disability related to pregnancy, miscarriage, therapeutic abortion, and childbirth.~~

~~The University will not participate in, require, or encourage its employees to participate in any retirement or pension program, or any insurance or other welfare program, unless either the benefits or the University's contribution are equal for all employees within their appropriate employee category.~~

~~No protected class employees will be required to retire at an age different from that of other employees.~~

~~All leave policies of the University will be formulated and administered based upon equal opportunity principles, without discrimination on the basis of sex or any other prohibited ground.~~

~~h. ——— Grievance Procedures~~

~~Both academic and nonacademic employees may avail themselves of established general grievance procedures described in the Bylaws of the Board of Regents of the University policy statements. The effectiveness of existing procedures will be evaluated by EO/AA Officers periodically to determine if minority and female employees are seeking and receiving the appropriate consideration through present channels.~~

~~In addition, an equal employment opportunity grievance structure and procedure has been approved by the Board of Regents to provide a means by which each employee may have an opportunity to request a review of any grievance related to wages, hours, and/or terms and conditions of employment which are alleged to have resulted from discrimination on the basis of race, age, color, disability, religion, sex, national origin, marital, or Vietnam-era veteran status. These procedures will be distributed to all University personnel.~~

~~6. ——— Technical Requirements~~

~~a. ——— Advertising~~

~~The phrase, "Equal Employment/Affirmative Action" will be placed prominently in all recruitment advertising to remind all recruitment sources that selection for, and participation in, University employment and educational programs are without regard to race, sex, color, religion, age, marital status, disability, or national origin. based upon equal opportunity principles.~~

~~b. ——— Contractors and Subcontractors~~

~~All contractors/subcontractors and lessors will continue to be notified of the University's responsibilities and ensuring obligations pursuant to Title VII of the Civil Rights Act of 1964 under Executive Order No. 11246, amended by Order No. 11375, and revised by Order No. 4. The University will advise all contractors/subcontractors and lessors of amendments to the Executive Order. In appropriate instances, the University will arrange to include specific affirmative action measures in the applicable contract. Reporting and monitoring procedures will be maintained to ensure compliance with provisions of the Executive Order and rules and regulations of the Department of Labor. Campus business officers have been provided procedural manuals to accomplish the latter.~~

e. ~~Equal Employment Posters~~

~~Posters are to be displayed in trafficked locations and are to be periodically checked by the EO/AA Officers.~~

d. ~~Facilities~~

~~The University certifies that all facilities will continue to be maintained on an equal opportunity a non-segregated basis; certification of non-segregated facilities is also required of contractors/subcontractors.~~

e. ~~Purchase Orders~~

~~All purchase orders and leases carry Equal Employment Opportunity clauses with the specific intent that vendors will adhere to provisions outlined therein. The University, in accordance with the law, requires detailed equal opportunity stipulations for purchase orders issued under government contracts or grants to which suppliers are required to adhere.~~

f. ~~University Governance~~

~~The University will provide equal opportunities for women and minority persons to serve in decision-making positions, on committees whenever possible, and to the degree that it does not conflict with established democratic election processes.~~

g. ~~Supportive Affirmative Action Programs~~

~~The Cooperative Extension Service has developed and is operating under an Equal Employment Opportunity Plan which has been approved by the USDA pursuant to Title VII, Part 18, of the Code of Federal Regulations. To avoid duplication of effort, Cooperative Extension employees paid in total or in part from Extension funds will be covered primarily by the USDA Plan.~~

~~In designing the supportive programs essential to these EO/AA Guidelines, each campus can be as flexible, as imaginative, and as innovative as possible. Since the University of Nebraska prides itself on its service-oriented education, many of the programs the campuses can design will have the added effect of generally improving the quality and quantity of its education. Specific recommendations in this area are difficult to make because each campus will have to develop programs based on its own mission and resources.~~

~~Different kinds of potential programs that will benefit especially women or minorities employees may include: those designed for teaching basic skills; special recruiting programs which will benefit women as they relate to sex-stereotyped fields and which will benefit minorities as they relate to general or graduate education; the development of child-care programs; and exchange programs with predominately black colleges involving faculty, students, and administrators.~~

h. ~~Equal Educational Opportunity~~

~~In conformance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, regulations promulgated pursuant to those laws, other applicable laws, and regulations, the University will not discriminate on grounds of race, color, sex, national origin, or any other factor prohibited by law in providing any educational or other benefits or services of the University.~~

~~The University is committed to the proposition that the proportions of minorities and women in its student population should be increased in specific areas of study in order to assure their representation in future labor markets for positions which are desirable with respect to career potential—both with the University and elsewhere.~~

~~To that end, the University will undertake a practice of affirmative recruitment of students from the protected classes through such procedures as visiting schools that have large concentrations of those groups in their student bodies, including adequate representation of minorities and women in promotional literature of the University, and encouraging minorities and women from the University to speak at events such as career days sponsored by schools and other organizations.~~

~~Individual unlawful acts of unlawful discrimination by faculty, administrative officers, and other employees in the University's treatment of students, in the teacher/student relationship, and otherwise shall be regarded as actionable under established grievance procedures. Such acts include, but are not limited to, defamatory statements made by faculty members in class, or other employees in the course of their work, which demean or insult individuals because of their race, sex, national origin, or other relevant characteristics.~~

Reference: BRUN, Minutes, 44, p. 107 (February 16, 1980).

RP-3.2 Compensation for Services Rendered

RP-3.2.1 Retirement Plan and Options (Repealed)

University of Nebraska Retirement Plan and Options, adopted September 23, 1961, BRUN Minutes, 24, p. 259, is repealed.

Reference: BRUN, Minutes, 24, p. 259 (September 23, 1961).
See also, Bylaws BRUN (1973+), s. 3.12.5.10.
BRUN, Minutes, 34, p. 126 (March 11, 1972).
BRUN, Minutes, 55, p. 145 (June 23, 1990).
BRUN, Minutes, 68, pp. 6-8 (January 23, 2009).

RP-3.2.2 Deferred Compensation

If the employee so specifies, authorization is granted by the Board for deferred employee compensation, and approval is given for the University to create a separate account with TIAA-CREF and/or Fidelity Investments for that compensation which is deferred at the employee's option over and above that matched by the University.

Reference: BRUN, Minutes, 39, p. 85 (March 13, 1976).
BRUN, Minutes, 51, p. 215 (April 19, 1986).
BRUN, Minutes, 72, p. 59 (July 18, 2014).

RP-3.2.3 Ancillary Groups or Organizations: Group Insurance Plan

The following designated persons representing groups or organizations ancillary to the University are eligible for participation in the University Group Insurance Plan. No University of Nebraska contribution to any such person's premium cost will be made, and each ancillary group or organization or its individual members will arrange for payment of premiums with the appropriate University benefits manager. The designated persons authorized for participation are members and former members of the Board of Regents, employees of the University of Nebraska Alumni Associations, University Technology Development Corporation, NUTech Ventures, UNeMed Corporation, Peter Kiewit Technology Development Corporation, and the National Strategic Research Institute.

Reference: BRUN, Minutes, 36, p. 227 (December 6, 1973).
BRUN, Minutes, 38, p. 51 (March 22, 1975).
BRUN, Minutes, 56, p. 149 (September 6, 1991).
BRUN, Minutes, 56, p. 191 (November 15, 1991).
BRUN, Minutes, 63, p. 181 (October 19, 2001).
BRUN, Minutes, 71, p. 61 (March 15, 2013).
RUN, Minutes, 71, p. 87 (November 14, 2013).

RP-3.2.4 Health Care Benefits for Federal Appointments

Academic-administrative and managerial-professional employees, working in Cooperative Extension, who currently have a federal civil service appointment, are eligible to participate in the federal employees' health benefits program. The University participates in the premium costs of this program using general current funds.

While civil service appointments are no longer being offered to new Cooperative Extension employees, persons currently holding federal civil service appointments and transferring into the Cooperative Extension program may continue to hold their civil service appointments and participate in the federal employees' health benefits program.

Reference: BRUN, Minutes, 36, p. 198 (October 12, 1973).
BRUN, Minutes, 56, p. 149 (September 6, 1991).

RP-3.2.5 Incentive Programs

1. Legal Authority

- a. Article VII, Section 10, of the Constitution of the State of Nebraska and Neb. Rev. Stat., § 85-106 relating to the power of the Board of Regents to fix compensation of University employees.
- b. Section 3. of the Bylaws of the Board of Regents relating to compensation paid to members of the professional staff.

2. Purpose

The purpose of this policy is to encourage the development of new ideas and initiatives by faculty and staff that result in enhancing the economy and efficiency of University programs. The savings or additional revenues resulting from such efforts will be used to (a) enhance and improve the quality of operations and academic programs and (b) reinvest in the unit(s) responsible for achieving savings or additional revenue.

3. Establishment of Incentive Programs

Each campus and the Central Administration may develop and present to the Board of Regents for consideration and approval an incentive program providing for the payment of monetary rewards to individuals and organizational units responsible for development of extraordinary initiatives or ideas that result in savings or additional revenue to the University. Each such program should establish a procedure which will insure that each monetary reward reflects the value and significance of the savings or additional revenue generated. Any monetary reward pursuant to an incentive program shall be made at the sole discretion of the University on a one-time basis.

4. Reports

The Board of Regents shall be informed annually by each major administrative unit and the Central Administration of all demonstrable, actual dollar savings (exclusive of utility savings) or additional revenues realized from new ideas or initiatives put into effect. The report shall include a description of the new idea or initiative, the amount of savings realized, and the manner in which savings or additional revenues were reinvested in the originating unit and reallocated to enhance or improve academic programs.

Reference: BRUN, Minutes, 52, pp. 117 (January 17, 1987).

RP-3.2.6 Employee and Dependent Scholarship Programs

RP-3.2.6.1 Employee and Dependent Scholarships: Undergraduate Credit

A. Employee Undergraduate Scholarship Program

Pursuant to Section 3.7 of the Bylaws of the Board of Regents of the University of Nebraska, the following regulations shall apply to the Employee Undergraduate Scholarship Program:

1. Eligibility for Employee Undergraduate Scholarship Program
 - a. All full-time (1.00 F.T.E.) employees of the University are eligible to apply.
 - b. All retired employees of the University who have met the normal retirement regulations are eligible to apply.
 - c. Employees must be admitted students of the University and must have met all normal academic requirements for the courses taken.
 - d. The Employee Undergraduate Scholarship Program is not available to employees on leave of absence without pay.
 - e. The Employee Undergraduate Scholarship Program is not available to employees whose anticipated employment period is less than six months.
 - f. The Employee Undergraduate Scholarship Program is not available to employees who are Participants in the Employee Graduate Scholarship Program. However, in further explanation, any annual Employee Graduate Scholarship Program credit hour benefit not fully used by the employee Participant shall be available for the transfer to an Eligible Beneficiary under the Dependent Undergraduate Scholarship Program.
2. Terms and Conditions
 - a. The granting of Employee Undergraduate Scholarships is subject to openings in the specific classes in which the employee intends to enroll. If the reduction or withdrawal of this privilege is necessitated by the lack of funds, such reduction or withdrawal shall apply to all classes of employees on a University-wide basis, and timely notice of this action shall be provided to all employees.
 - b. The benefits set forth in this RP 3.2.6.1 apply only to undergraduate academic credit courses being offered at any unit of the University of Nebraska. These courses may be taken for credit or audit.
 - c. The Employee Undergraduate Scholarship Program shall provide tuition equal to the University's resident tuition charge per semester credit hour.

- d. Employees whose applications have been approved shall pay all normal admission and matriculation fees, including lab fees and course fees, but not University Program and Facilities Fees. Employees shall also pay all usual course-related costs such as books and supplies.
- e. The program is limited to no more than fifteen (15) credit hours in any 12-month period (August through July) and is normally restricted to no more than six (6) credit hours per semester.
- f. Employees eligible for scholarship plans through other programs are expected to avail themselves of these programs prior to applying for the Employee Undergraduate Scholarship Program. If the employee's costs are not entirely covered by the other programs, the Employee Undergraduate Scholarship Program shall allow for the difference up to the maximum established herein.
- g. Employees will be billed for their tuition if they resign from University employment and the effective date of resignation occurs during the first thirty (30) days after classes have commenced.
- h. If any Employee receives funds from one or more University or University of Nebraska Foundation sources, which funds are used to pay for any educational expenses related to the courses taken under this program, such funds will be treated as outside the scope of this program, and the University will treat such additional benefit as additional wage income to the Employee in the year received.

3. Class Attendance

- a. Normally, employees taking advantage of the Employee Undergraduate Scholarship Program will enroll in classes held during nonworking hours.
- b. If the course(s) is (are) not scheduled during nonworking hours, the Employee's hours may be rearranged, with the appropriate approvals, to accommodate enrollment.

B. Dependent Undergraduate Scholarship Program

Employees who meet the Employee Undergraduate Scholarship Program employment eligibility conditions may elect to transfer all or part of their employee scholarship benefit to (1) the employee's spouse; (2) one or more dependent children of the employee and/or the employee's spouse; (3) the employee's Adult Designee; or (4) one or more dependent children of such Adult Designee. (Hereinafter, these persons will be referred to collectively as "Eligible Beneficiaries").

1. Definitions

The following definitions shall apply to the Dependent Scholarship Program:

- a. Spouse shall be an employee's husband or wife, as recognized by the State of Nebraska.
- b. An individual shall qualify as an Adult Designee if all of the following criteria are met:
 - i. The individual is not the spouse of the employee;
 - ii. The individual has resided in the same domicile with the employee for at least the past consecutive twelve (12) months and intends to remain so indefinitely;
 - iii. The individual is at least nineteen (19) years of age;

- iv. The individual is directly dependent upon, or interdependent with, the employee sharing a common financial obligation. Acceptable documentation shall include:
 - A. Any Internal Revenue Service form listing the Adult Designee as a dependent, or
 - B. Any three (3) of the following four (4) documents:
 - (1) A joint loan obligation, mortgage, or lease, or joint ownership of a vehicle;
 - (2) An employee life insurance policy, retirement benefits account, or will designating the Adult Designee as beneficiary thereto, or will of the employee or the Adult Designee which designates the other as executor;
 - (3) A mutually granted power of attorney for purposes of healthcare or financial management; or
 - (4) Proof of a joint bank or credit account showing the employee or Adult Designee is authorized to sign for purposes of the other's bank or credit account.
- v. The employee signs and files with human resources a sworn statement with attached documentation listed in subsection iv.A or iv.B of this subsection, which statement attests to the authenticity and truthfulness of the documents and the veracity of statements that the Adult Designee is nineteen (19) years of age or older and financially dependent or interdependent with the employee;
- vi. The employee has not withdrawn the sworn statement set forth in subsection B.v.
- vii. The individual is not:
 - A. A person hired or directly supervised by the employee in an employment setting;
 - B. A person the employee may transfer, suspend, lay off, recall, promote discharge, assign reward, or discipline as an employee;
 - C. A person for whom the employee has the responsibility to direct or adjust grievances, or effectively recommend any such action, if the exercise of such authority is not merely of a routine or clerical nature but requires the use of independent judgment;
 - D. A person related to either the employee or the employee's spouse as follows:
 - (1) Parents.
 - (2) Parents' collateral descendants (siblings, nieces, nephews).
 - (3) Grandparents and their descendants (aunts, uncles, cousins).
 - (4) Renters, boarders, tenants, employees.

- (5) Children (Children of employees or Adult Designees may qualify for Dependent Scholarship Program benefits as dependent children, but not as Adult Designees).
 - c. Dependent child shall mean any naturally born child, legally adopted child, stepchild, or ward of an employee or Adult Designee who (i) is unmarried and under twenty-four (24) years of age, and (ii) is chiefly dependent on the employee or the Adult Designee for support (claimed as a dependent for tax purposes).
2. Eligibility for Dependent Scholarship Program
- a. All regular full-time (1.00 F.T.E.) employees of the University who meet the employment eligibility requirements of the Employee Undergraduate Scholarship Program may transfer up to a total of fifteen (15) credit hours per year (August through July) to one or more Eligible Beneficiaries. Such transfer shall be at tuition rates equal to the University's resident tuition charge per semester credit hour at the campus of attendance.
 - b. The Dependent Scholarship Program is only available to an Eligible Beneficiary who is an admitted student of a University of Nebraska campus and who has met all the normal academic requirements of the course(s) taken. Full-time student enrollment status is required for a dependent child to be eligible, but not for a spouse or Adult Designee. An affidavit will be required to document the status of dependent children. The University reserves the right to request copies of tax returns or other supporting documentation.
 - c. All retired employees of the University who have met the normal retirement regulations may apply the Dependent Scholarship Program to one or more Eligible Beneficiaries.
3. Terms and Conditions
- a. The Dependent Scholarship Program will be limited to undergraduate academic credit courses at any campus of the University of Nebraska.
 - b. The Dependent Scholarship Program shall provide tuition equal to the University's resident tuition charge per semester credit hour at the campus of attendance, subject to the limitations listed in subsection (e) below.
 - c. Eligible Beneficiaries whose applications have been approved shall pay all normal admission and matriculation fees including lab fees, course fees, UPFF fees, and all usual course-related costs such as books and supplies.
 - d. The maximum number of credit hours that may be transferred by an employee to one or more Eligible Beneficiaries will be the equivalent of fifteen (15) semester credit hours in any 12-month period (August through July) and is restricted to no more than nine (9) hours per semester.
 - e. Eligible Beneficiaries who are eligible for scholarship plans through other programs are expected to avail themselves of these programs prior to applying for the Dependent Scholarship Program. If the Eligible Beneficiary's tuition costs are not entirely covered by the other programs, the Dependent Scholarship Program shall allow for the difference up to the maximum established herein.
 - f. Employees will be billed for an Eligible Beneficiary's tuition if they resign from University employment and the effective date of the resignation occurs during the first thirty (30) days after classes have commenced.

- g. Employees may incur income tax on the value of the Dependent Undergraduate Scholarship Benefit awarded, especially in cases where the benefit is transferred to an individual not considered a dependent of the employee for income tax reporting purposes. Employees may wish to seek tax advice prior to receiving the benefit described in this program.

RP-3.2.6.2 Employee Scholarships for Graduate Credit

1. Establishment and Purpose of Plan

- a. The University of Nebraska (the "University") hereby establishes this Plan for the purpose of providing tax benefits related to the furnishing of educational assistance to eligible employees.
- b. It is the intention of the University that the educational assistance provided under the Plan be eligible for exclusion from a Participant's gross income to the maximum extent possible under Section 127(a) of Code and under any applicable provisions of the Nebraska state tax laws. The University presently provides, and will continue to provide, to its employees a variety of other benefits, some of which may qualify for exclusion from gross income under provisions other than section 127 of the Code. The educational assistance offered under this Plan is provided in addition to such other benefits, which shall not constitute a part of this Plan.

2. Definitions for Purposes of RP-3.2.6.2

- a. "Benefits" means the payment, reimbursement, or waiver of tuition costs. Participants whose applications have been approved for this Plan shall pay all normal admission and matriculation fees, including lab fees and course fees, but not University Program and Facilities Fees, which shall be waived. Employees shall also pay all usual course-related costs such as books and supplies and equipment. In addition, Benefits do not include the payment, reimbursement, or waiver of costs related to tools or supplies which may be retained by the Participant after completion of an Educational Course, or meals, lodging, or transportation incidental to taking an Educational Course.
- b. "Code" means the Internal Revenue Code of 1986, as amended.
- c. "Educational Course" means any University graduate level course of a kind normally taken by an individual pursuing a program leading to a law, business, medical, or other advanced academic or professional degree. Educational Courses do not include either (a) undergraduate courses, or (b) courses that instruct the Participant in any sport, game, or hobby, unless such courses are required as part of a graduate degree program.
- d. "Employer" means the University of Nebraska.
- e. "Participant" means full-time (1.00 F.T.E) employees, and retired employees of the Employer who have met the normal retirement regulations. Employees (a) who are on a leave of absence without pay, (b) whose anticipated employment period is less than six months, or (c) who are participating in the Employee Undergraduate Scholarship Program, do not qualify as Participants.
- f. "Plan" means the University of Nebraska Section 127 Educational Assistance Plan, as set forth in this RP-3.2.6.2.
- g. "Plan Administrator" means the University's Senior Vice President for Business and Finance, or such successor position, and those individuals employed by the University to

whom the Senior Vice President for Business and Finance has delegated authority for the administration of the Plan.

- h. "Plan Year" means the 12-month period commencing January 1 and ending on December 31.

3. Eligibility

- a. Every Participant is eligible to receive Benefits under the Plan, subject to the limitations set forth in Section 4. below.
- b. A Participant shall cease to be eligible to receive Benefits on the date that the person is no longer a Participant. If, however, such person is receiving Benefits at the time that the person becomes ineligible, he or she will remain eligible for Benefits under the Plan until the end of the semester or other academic term in which eligibility terminates.

4. Limitations on Benefits

- a. If any Participant receives during a Plan Year funds from one or more University or University of Nebraska Foundation sources, which funds are used to pay for any educational expenses related to the Educational Courses taken under this Plan, such funds will be treated as outside the scope of this Plan, and the University will treat such funds as additional wage income to the Participant in the Plan Year received.
- b. In no event shall a Participant be entitled to receive any Benefits under this Plan in lieu of cash or any other taxable compensation that he or she might otherwise be entitled to receive from the Employer.
- c. In any Plan Year during which a person is a Participant in the Plan, the Participant shall be eligible to receive Benefits under the Plan valued at no more than \$5,250 (or such greater or lesser amount as may be subsequently permitted under section 127 of the Code).
- d. The Plan is intended not to discriminate in favor of highly compensated employees (as defined in section 414(q)) of the Code) as to eligibility to either participate in the Plan or receive Benefit distributions from the Plan, and the Plan will in all respects comply with the requirements of sections 127(b)(2) and (3) of the Code and the underlying Treasury regulations. If, in the judgment of the Plan Administrator, the operation of the Plan in any calendar year would result in such discrimination, the Plan Administrator shall select and exclude from participation in the Plan such Participants as shall be necessary to ensure that, in the judgment of the Plan Administrator, the Plan does not discriminate.
- e. If any Benefits under this Plan become taxable to the Participant for any reason, including a result of nondiscrimination tests or payment of Benefits in excess of statutory limits, any employment tax withholding owed with respect to the taxable portion of any Benefits shall be deducted from the Participant's other compensation in the same calendar year in which the Benefits are provided.
- f. The Benefits provided hereunder are subject to openings in the specific classes in which the Participant intends to enroll. If the reduction or withdrawal of this privilege is necessitated by a lack of funds, such reduction or withdrawal shall apply to all classes of Participants on an Employer-wide basis, and timely notice of this action shall be provided to all Participants.
- g. The Benefits provided hereunder apply only to academic credit courses being offered at any unit of the Employer. These courses may be taken for credit or audit.

- h. The tuition benefit provided under the Plan shall be equal to the Employer's resident tuition charge per semester credit hour.
 - i. Participants whose applications have been approved shall pay all admission and matriculation fees, including lab fees and course fees, and all course-related costs such as books and supplies, but shall not be required to pay University Program and Facilities fees.
 - j. The tuition benefit provided under this Plan is limited to no more than fifteen (15) credit hours in any Plan Year and is normally restricted to no more than six (6) credit hours per semester.
 - k. Participants will be billed for their tuition cost if they resign from being employed by the Employer and the effective date of resignation occurs during the first thirty (30) days after classes have commenced.
 - l. Normally, Participants taking advantage of the Benefits under this Plan will enroll in classes held during nonworking hours, and if the course(s) is (are) not scheduled during nonworking hours, the Participant's hours may be rearranged, with the appropriate approvals, to accommodate enrollment.
5. Plan Administrator
- a. The Plan Administrator shall have authority and responsibility to take any reasonable actions necessary to control and manage the operation and administration of this Plan under rules applied on a uniform and nondiscriminatory basis to all Participants, including retaining an independent company to perform administrative services such as Plan recordkeeping or Benefit reimbursement.
 - b. The Plan Administrator shall give reasonable notice of the availability and terms of the Plan to such persons who are eligible to be Participants.
6. Miscellaneous
- a. All Benefits provided under this Plan shall be funded by the Employer in a manner that the Employer shall deem appropriate.
 - b. This Plan may be amended or terminated at any time by the Employer, provided, however, that any termination or amendment shall not affect the right of any Participant to claim an award for which he or she may have qualified prior to such termination or amendment.
 - c. The University's Director of University Accounting shall be responsible for preparing and filing the Annual Return/Report of Employee Benefit Plan (Form 5500) to report all required information concerning the Plan.
 - d. This Plan shall not be deemed to constitute a contract between the Employer and any Participant or to be a consideration or an inducement for the employment of any Participant. Nothing contained in this Plan shall be deemed to give any Participant the right to be retained in the service of the Employer or to interfere with the right of the Employer to discharge any Participant at any time regardless of the effect which such discharge shall have upon him or her as a Participant of this Plan.
 - e. This Plan shall be construed and enforced according to the laws of the State of Nebraska, other than its laws respecting choice of law, to the extent not preempted by any federal law.

- f. RP-3.2.6.2 represents the entire Plan. No other employee benefit plan is, or may hereafter be maintained by the Employer as, part of this Plan, unless the Plan is amended in accordance with the rules governing amendment of the Regents Policies.

Reference: BRUN, Minutes, 43, pp. 175-176 (July 28, 1979).
BRUN, Minutes, 56, p. 149 (September 6, 1991).
BRUN, Minutes, 63, p. 157 (June 23, 2001).
BRUN, Minutes, 71, p. 65 (March 15, 2013).
Corporation Secretary Revision: Amended in accordance with authority granted to the President in agenda item IX-B-6 on June 8, 2012.

RP-3.2.7 Operating Policy for the University of Nebraska General and Automobile Liability Self-Insurance Program

1. General

- 1.1 Purpose. The Board of Regents of the University of Nebraska (the "University") is a public body corporate and agency of the State of Nebraska, organized and existing under the Constitution and laws of the State of Nebraska. The University is authorized by Neb. Rev. Stat. Sections 85-1,126 and 85-1,127 to establish and maintain a General Risk-Loss Trust for the purpose of providing a mechanism for funding a program to pay for certain liability and property losses and expenses, and to provide for the legal defense of commissioned law enforcement officers employed by the University who are charged with criminal offenses or subjected to grand jury proceedings as a direct result of performance of duties within the scope of employment by the University. This Operating Policy establishes the University of Nebraska General and Business Automobile Liability Self-Insurance Program (the "Program") which shall provide self-insurance coverage for certain liability losses and property losses and expenses and Police Officer Criminal Defense Claims which may from time to time be incurred by the University and which are not otherwise covered by insurance. The types of losses or claims covered and the limits of self-insurance coverage provided by the Program are as set forth in the STATEMENT OF GENERAL SELF-INSURANCE COVERAGE and the STATEMENT OF BUSINESS AUTOMOBILE LIABILITY SELF-INSURANCE COVERAGE attached to this Operating Policy as Addendum "A" and Addendum "B" and by reference incorporated herein.
- 1.2 Establishment of the General Risk-Loss Trust. Contemporaneous with the approval of this Operating Policy by the Board of Regents, the University shall enter a General Risk-Loss Trust Agreement (the "Trust Agreement") with a Trustee. The Trust Agreement shall formally establish the General Risk-Loss Trust for the purpose of funding the Program in accordance with this Operating Policy.
- 1.3 Program Duration. The Program established by this Operating policy shall remain in force and effect until changed or discontinued by action of the Board of Regents.

2. Program Administration

- 2.1 Management Responsibility. The Vice President for Business and Finance shall have general responsibility for administration and management of the Program.
- 2.2 Principal Office and Records. The principal office of the Program shall be located at Varner Hall, University of Nebraska, 3835 Holdrege Street, Lincoln, Nebraska 68583-0742. All records relating to operation of the Program shall be maintained under the custody of the Vice President for Business and Finance at said address.
- 2.3 Claims Settlement Authority. The Vice President for Business and Finance or his or her designee shall, upon the recommendation and concurrence of the General Counsel, have

authority to approve settlement of claims and suits covered by the Program. The Vice President for Business and Finance shall issue a written administrative policy and procedure setting forth the process for review and approval of settlements of claims and suits covered by the Program.

- 2.4 Claims Administration. The Vice President for Business and Finance shall issue such written administrative policies as he or she may determine to be necessary to insure that adequate controls are implemented to prevent misuse of funds in the General Risk-Loss Trust and that proper documentation is maintained with respect to all claims transactions. Day to day claims administration will be conducted under the direction of the Vice President for Business and Finance and shall include:
- (a) Coordinating claims settlement;
 - (b) Initiating withdrawals from the General Risk-Loss Trust;
 - (c) Publishing loss runs;
 - (d) Reporting claims to proper authorities;
 - (e) Insuring prompt payment of approved claims; and
 - (f) Coordinating a University-wide loss control program.
- 2.5 Program Coordination. The Vice President for Business and Finance or his or her designee shall coordinate administration of the Program with other parties engaged by the University to assist in claims management or to provide legal services.
- 2.6 Monitoring of Investments. The Vice President for Business and Finance shall have responsibility for monitoring investments made by the Trustee under the General Risk-Loss Trust to insure compliance with the General Risk-Loss Trust Agreement and this Operating Policy.
- 2.7 Legal Services. The General Counsel shall evaluate claims and suits requiring legal representation under the Program. He or she shall be responsible for providing legal services in defense and settlement of any claims or suits covered by the Program either through the Office of the General Counsel or by engaging outside counsel to provide such legal services. Any billing statement for fees of outside counsel shall not be paid until the same has been approved by the General Counsel.
- 2.8 Claims Status and Disposition Reports. The General Counsel shall annually prepare and deliver to the President and the Board of Regents a written report of the status and disposition of claims and suits covered by the Program.
3. Financial Guidelines for the Program
- 3.1 Use of the General Risk-Loss Trust. The Vice President for Business and Finance or his or her designee is authorized to direct the payment of funds from the General Risk-Loss Trust for the purpose of paying on behalf of the University and those persons, entities and organizations also insured under the Program all sums for losses and expenses covered by the Program up to the stated limits of the self-insurance coverage of the Program as stated in Addendum "A" AND Addendum "B", but only when such losses or expenses are not otherwise covered by valid and collectible insurance covering a Liability Occurrence as defined in the STATEMENT OF GENERAL SELF-INSURANCE COVERAGE or an Accident as defined in the STATEMENT OF BUSINESS AUTOMOBILE LIABILITY SELF-INSURANCE COVERAGE for the Program.

- 3.2 Maintenance of Adequate Funds and Reserves in the Trust Fund. The Vice President for Business and Finance shall insure that adequate funds are deposited and maintained in the General Risk-Loss Trust to pay claims and associated expenses, and operational costs incurred in administration of the Program, including maintenance of a surplus at all times. Adequate funding shall include maintenance of adequate reserves for reported claims and cases, loss adjusting expenses, and reserves for incurred-but-not-reported claims (IBNR).
- 3.3 Budget Allocations for the Program. In accordance with Section 3.4 of this Operating Policy, the Vice President for Business and Finance shall determine, not later than thirty (30) days prior to the beginning of each fiscal year of the University, the minimum amount of funds to be maintained in the General Risk-Loss Trust in order to implement the Program for the ensuing fiscal year. Each annual budget of the University shall include an equitable allocation of funds from the University of Nebraska-Lincoln, the University of Nebraska at Kearney, the University of Nebraska Medical Center, the University of Nebraska at Omaha and the Nebraska College of Technical Agriculture to be deposited in the General Risk-Loss Trust to insure that adequate funding and reserves are maintained in the Trust to pay claims, associated expenses, and operational costs of the Program.
- 3.4 Actuarial Evaluation. Prior to making each annual budget allocation for the General Risk-Loss Trust as provided by Section 3.3 of this Operating Policy, the Vice President for Business and Finance or his or her designee shall obtain an actuarial or loss-reserve specialist's opinion which shall indicate the level of funding required for the Trust to carry out its dedicated purpose for the fiscal year beginning on the next July. Each such evaluation shall include the following information:
- (a) Development of expected loss costs of the Program based on similar experience;
 - (b) Estimation of the University's losses at retention limits; and
 - (c) Recommendation as to the University's funding needs for the Program.
- 3.5 Board Action in the Event of Inadequate Funds for Program Operation. If at any time the Vice President for Business and Finance in the exercise of his or her professional judgment shall conclude that there are not adequate funds in the General Risk-Loss Trust to carry out the Program, such conclusion shall be reported to the President and the Board of Regents together with his or her recommendation for such action by the Board as may be appropriate and necessary under the circumstances to assure payment of claims and associated expenses, and operational costs in future operation of the Program.
- 3.6 Investment of Trust Funds. The Trustee shall be required by the Trust Agreement to invest funds held in the Trust in securities and property as shall from time to time be legal investments for funds of the University.
- 3.7 Defense and Settlement of Claims. Claims covered by the Program shall be processed and acted upon in accordance with a claims administration policy approved by the Vice President for Business and Finance. The University, as administrator of the Program, shall:
- (a) Defend any claim or suit expressly covered by the Program, even if such claim or suit is groundless, false or fraudulent; but the University may make such investigations and settlement of any claim or suit as it deems expedient;

- (b) Pay all premiums and bonds to release attachments for an amount not in excess of the applicable limit of coverage provided by the Program, and pay all premiums on appeal bonds required in any suit defended under the Program, but without obligation to apply for or furnish any such bond;
- (c) Pay any civil money judgment, except any judgment or part of a judgment which is for punitive damages, and expenses incurred in the defense of any claim or suit covered by the Program, including all costs and attorneys fees taxed against a covered person or entity named in any such suit, and all interest accruing after entry of judgment until the Program has paid or tendered or deposited in court such part of such judgment and expenses as does not exceed the limits of coverage provided by the Program in Appendix "A" and Appendix "B", and pay any valid Police Officer Criminal Defense Claim as does not exceed the limits of coverage for such claims provided by the program in Appendix "A";
- (d) Reimburse any person or entity covered by the Program for all reasonable expenses incurred in defense and settlement of any claim or suit covered by the Program, except loss of earnings.

3.8 Other Expenses. The Vice President for Business and Finance may in the exercise of his or her discretion direct that the following expenses be paid from the Trust:

- (a) Expenses related to administration of the Program, including educational training of University employees relating to defense and settlement of claims, claims administration and risk reduction, and payment of insurance policy premiums or other insurance-related expenses.
- (b) Costs and expenses of the Office of the University General Counsel for legal services for defense and settlement of claims.
- (c) Expenses for attorneys fees and costs for defense of administrative or civil claims against the University that are not covered by the Program.

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RP-5.2 Admissions

RP-5.2.1 Admission Standards

1. Overview of Entrance Requirements

Entrance requirements have been divided into two sections described in detail below. In addition to being graduates of an accredited high school, or equivalent, students planning to matriculate at UNK, UNL and UNO must take a core of selected high school courses spread over a number of disciplines. Additionally, these students are required to meet performance criteria by being in the top half of their graduating class or meet certain performance criteria, based on scores on national examinations or a cumulative high school GPA. The entrance requirements incorporate a process for admitting students who do not meet one or more of the admission criteria, yet show promise of academic success.

2. Core Course Requirements

- a. English - 4 units - All units must include intensive reading and writing experiences. Innovative interdisciplinary courses and courses in speech and journalism may be substituted if they include substantial amounts of reading and writing.
- b. Mathematics - 3 units - Algebra I, algebra II and geometry.
- c. Social Studies - 3 units - One unit drawn from American and/or world history; one additional unit drawn from history, American government, and/or geography; and a third unit drawn from any social science discipline.
- d. Natural Sciences - 3 units - At least two units selected from biology, chemistry, physics, and earth sciences. One of the above units must include laboratory instruction.
- e. World Language - 2 units - For colleges that require world language, both units must be in the same language. Students who do not take two years of world language in high school may still qualify for admission to colleges without a world language requirement.
- f. Additional Academic Requirements - 1 unit

For UNK and UNO, unit can be chosen from any academic discipline (preferably mathematics).

For UNL, must be a Mathematics unit that builds on a knowledge of algebra. It is not required that all students take a trigonometry or pre-calculus course for their fourth unit of mathematics. Other mathematics courses that build on two years of algebra (courses in statistics or discrete mathematics for example) may be taken to satisfy this requirement.
- g. Total Units - 16 total units required - A unit is a Carnegie Unit, comprising high school study for a period of one year. Equivalent requirements or competencies may be substituted, with the approval of the appropriate University campus.

3. Performance Requirements

In addition to meeting the above core course requirements, students seeking admission to UNK, UNL or UNO shall:

- a. Be ranked in the 50th percentile or higher of their graduating class in an accredited high school; or
- b. Have received an ACT composite score of 20 (enhanced) or greater, or its SAT equivalent as determined by the Executive Vice President and Provost; or
- c. Have earned a minimum of 3.00 cumulative high school GPA at the conclusion of their sixth semester of high school or later.

4. Admission of Students

Students seeking admission to any campus of the University will have their academic records reviewed. These reviews will result in one of the following decisions:

- a. Assured Admission of Students. High school graduates who meet the above criteria (successful completion of the 16 units of core courses and satisfaction of the performance requirement) will be assured of admission as an undergraduate to UNL, UNO, or UNK.

High School graduates, or students who have completed their General Education Diploma (GED), who also have submitted ACT, SAT, Accuplacer, or ASSET scores, will be assured admission to the Nebraska College of Technical Agriculture (NCTA). Direct enrollment to college-level courses at NCTA will depend upon an assessment of student academic preparedness.

~~b. Admission of Students on the Basis of Special Merit. Applicants who do not qualify for assured admission by meeting all entrance criteria will automatically be considered for full admission to the University on the basis of special merit. The process by which these students are considered and admitted to a given campus is the responsibility of that particular campus. However, each campus will assure that the process will make provisions for a variety of circumstances, including allowance for the special consideration to be given to: non-traditional students; returning adult students; students educated at home schools; students who do not meet the required performance criteria but who have performed at a high level of accomplishment towards the conclusion of their high school careers; students who can provide evidence of special talents, such as outstanding musical performers; those with unique educational experience or career achievements; students from low socioeconomic backgrounds; first generation college students; students graduating from high schools who have not historically sent a significant number of students to four-year institutions of higher education; and students who have meaningful experience gained from working with individuals from diverse backgrounds. Such students will be encouraged to provide evidence of their ability to do university level work. It must be emphasized that students once admitted through this process will be considered fully admitted and will not be considered by the University to have a provisional status. However, some students may be admitted with requirements to complete specific courses and use academic support and student success programming to compensate for having not completed all of the required core courses, performance requirements or equivalent educational attainments. It is anticipated that no more than 25 percent of the first-time traditional freshman students would be admitted on the basis of special merit.~~

b. "Admission of Students on the Basis of Special Merit. Applicants who do not qualify for assured admission by meeting all entrance criteria will automatically be considered for full admission to the University on the basis of special merit. The process by which these students are considered and admitted to a given

campus is the responsibility of that particular campus. However, each campus will assure that the process will make provisions for a variety of circumstances, including allowance for the special consideration to be given to: non-traditional students; returning adult students; students educated at home schools and students who do not meet the required performance criteria but who have performed at a high level of accomplishment towards the conclusion of their high school careers

- c. Admission of Transfer Students. Students who transfer to the University of Nebraska with 24 or more credit hours of transferrable coursework will not be required to have met the core course requirements, either in high school or in their previous postsecondary studies. Each campus will determine how deficiencies in the prior record of these students will be satisfied.
- d. Deferred Admissions. Some students may need additional preparation prior to attending the University of Nebraska. These students will have their admission deferred and will be encouraged to attend another postsecondary institution, such as NCTA or a community college, in order to deal with deficiencies identified in their prior academic preparation.

5. Veteran Promise

In accordance with the Nebraska Veteran Promise Act, eligible military students and eligible veteran students who otherwise meet the admission requirements for the University campus to which they are applying shall be automatically accepted for enrollment as an undergraduate student in virtual or in-person courses and programs.

- a. An "eligible military student" is a student who:
 - 1) graduated from a Nebraska high school on or after January 1, 2002;
 - 2) signed enlistment papers to serve in a uniformed service; and
 - 3) at the time of application, either is serving in such uniformed service under a six- year obligation or has served as least two years of active duty in such uniformed service and is serving in such uniformed service or another uniformed service.
- b. An "eligible veteran student" is a student who:
 - 1) either graduated from a Nebraska high school on or after January 1, 2002, or graduated from a high school in another state on or after January 1, 2002, and served in a uniformed service while assigned to a location in this state;
 - 2) signed enlistment papers to serve in a uniformed service;
 - 3) received either an honorable discharge or a general discharge under honorable conditions from a uniformed service.
- c. "Uniformed service" means an active or reserve component of:
 - 1) The Army, Navy, Air Force, Marine Corps, Coast Guard, Merchant Marine, or Space Force of the United States;

- 2) The Commissioned Officers Corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States; or
- 3) The Nebraska National Guard.

Reference: BRUN, Minutes, 58, pp. 12-15 (January 16, 1993).
BRUN, Minutes, 74, p. 32 (September 16, 2016).
BRUN, Minutes, 76, p. 3 (February 7, 2020).
BRUN, Minutes, 76, p. 141 (February 11, 2022).
BRUN, Minutes, 76, p. 267 (February 9, 2024).
Corporation Secretary Revision (February 26, 2024).

[4936-8284-9566, v. 2](#)

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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.
 5. The State of Nebraska should maintain a reasonable share of the cost of education for all students.
 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 under-represented racial/ethnic groups to enhance the cultural diversity of the University. Tuition levels should also take into account the need for access to under-represented groups including those identified in RP 5.2.1 eligible for special merit consideration to enhance the mission of the University.~~
- 9-8. Tuition levels reflect the missions of the campuses.
- 10-9. 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 academic year, the Board of Regents will be provided an annual 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.

Reference: BRUN, Minutes, p. 217, (December 4, 1993).
BRUN, Minutes, 64, p.124, (June 10, 2005).
BRUN, Minutes, 70, p. 33 (September 9, 2011).

RP-5.8.4 Rules for Granting Nonresident Tuition Remissions 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 helps enhance cultural diversity among students.~~ In particular, the recruitment of nonresident students helps enhance the academic experience, broadens the reach of the University, and encourages state workforce development. Additionally, ~~In particular, the recruitment of nonresident children of alumni will complement the Regents' desire to increase cultural diversity, and at the same time will complement the Regents' desire to~~ 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 waivers 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 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 the eligibility standards established for each campus. Each campus chancellor is authorized to develop a Legacy Remissions Program, subject to the following minimum standards.

- a. A student entering the University from high school must either (i) rank in the upper one- third of his or her graduating class in high school, or (ii) have achieved a cumulative high school grade point average (GPA) of 3.00 or higher, or (iii) have earned an ACT composite score of 24 or higher, or have earned an SAT equivalent total score as determined by the Executive Vice President and Provost.
- b. A student first entering the University as a transfer 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 equivalent total score as determined by the Executive Vice President and Provost, 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

4. Continuation of Legacy Remissions Program

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

5. Transferability

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

Reference: BRUN, Minutes, 64, p. 36 (June 1, 2002).
BRUN, Minutes, 64, p. 126 (June 10, 2005).
BRUN, Minutes, 74, p. 33 (September 16, 2016).
BRUN, Minutes, 76, p. 39 (December 4, 2020).

[4919-6639-6190, v. 1](#)



BOARD OF REGENTS AGENDA ITEM SUMMARY

Executive Committee

February 25, 2025

AGENDA ITEM: Updates to Section 3.0 of the Bylaws of the Board of Regents of the University of Nebraska.

Review **Review + Action** **Action** **Discussion**

This is a report required by Regents' policy.

PRESENTERS: Paul Kenney, Chair

PURPOSE & KEY POINTS:

The proposed updates to Section 3.0 of the Bylaws of the Board of Regents are intended to implement necessary updates, and clarify language, in compliance with Executive Orders that have been released and additional Department of Education mandates.

RECOMMENDATION

This item is presented for information only and will be brought back to the Board for consideration at its next meeting.

Chapter III. Terms and Conditions of Employment

3.0 Equal Opportunity. Recruitment, selection, employment, transfer, promotion, demotion, training, and pay of all employees of the University shall be without regard to race, color, sex, religion, national origin, or political affiliation. The University will take ~~affirmative~~ action to ensure that applicants are employed, and that employees are treated during employment, without regard to these factors. Merit will be the criterion by which qualifications for appointment, retention, or promotion are judged. ~~The University will strive to achieve realistic affirmative action employment goals.~~

Lincoln, Nebraska
February 7, 2025

The Board of Regents of the University of Nebraska met on February 7, 2025, at 9:00 a.m. in the Boardroom at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, and by remote electronic means pursuant to Neb. Rev. Stat. § 84-1411, in a publicly convened session, the same being open to the public and having been preceded by advanced publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1 (page 8).

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 31, 2025.

Regents present:

Timothy Clare

Paul Kenney, Vice Chair, (joined via Videoconference)

Elizabeth O'Connor (joined at 9:04 a.m.)

Robert Schafer, Chair

Jim Scheer

Jack Stark

Barbara Weitz

Kathy Wilmot

Sam Schroeder, University of Nebraska at Kearney

Elizabeth Herbin, University of Nebraska-Lincoln

Pranita Devaraju, University of Nebraska Medical Center (joined via Videoconference at 11:15 a.m.)

Ishani Adidam, University of Nebraska at Omaha

University officials present:

Jeffrey P. Gold, President

David Jackson, Interim Executive Vice President and Provost

Katie Hoffman, Corporation Secretary

Charles Bicek, Interim Chancellor University of Nebraska at Kearney

Rodney D. Bennett, Chancellor, University of Nebraska-Lincoln

Dele H. Davies, Interim Chancellor, University of Nebraska Medical Center

Joanne Li, Chancellor, University of Nebraska at Omaha

Michael J. Boehm, Vice President for Agriculture and Natural Resources

Anne Barnes, Interim Vice President and Chief Financial Officer

Bren Chambers, Interim Vice President and General Counsel

Chris Kratochvil, Interim Vice President for External Relations

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 9:00 a.m. Attendance is indicated above.

Chair Schafer announced the location of the Open Meetings Act in the Boardroom.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON DECEMBER 6, 2024

Motion Moved by Stark and seconded by Weitz to approve the minutes and ratify the actions of the meetings on December 6, 2024.

Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: Kenney, Schafer, Scheer, Stark, Weitz, Wilmot, and Clare. Motion carried.

IV. PRESENTATIONS

Senator John Arch, Speaker of the Legislature, shared an update on the 2025 Legislative Session.

Major General Craig W. Strong, Adjutant General for the Nebraska National Guard, shared some updates on the Nebraska National Guard.

V. KUDOS

Regent Schroeder presented a KUDOS award to Alex Straatmann, Chief Compliance Officer at the University of Nebraska at Kearney.

Regent Herbin presented a KUDOS award to Sheila Stewart, who joined via videoconference, Senior Financial Accountant at the University of Nebraska-Lincoln.

Regent Weitz presented a KUDOS award to Debbie Vidlak, Research Project Coordinator lead in the Fred & Pamela Buffett Cancer Center Clinical Trials Office at the University of Nebraska Medical Center.

Regent Adidam presented a KUDOS award to Sophia Potter, Project Manager in the Office of Research and Creative Activity at the University of Nebraska at Omaha.

VI. RESOLUTIONS

Regent Stark Presented the following resolution:

WHEREAS, the University of Nebraska Board of Regents approved in August 2024 the Program Statement for Project Health, a new \$2.19 billion healthcare facility at the University of Nebraska Medical Center (UNMC) that will serve as a clinical training center to train and educate the next generation of healthcare providers, conduct research and offer clinical trials, and

WHEREAS, the Nebraska Medicine Board has approved a resolution demonstrating its support of Project Health by making a financial commitment of \$575 million, and

WHEREAS, the Nebraska philanthropic community has recognized the significant need for the construction of Project Health and values the overwhelming impact this facility will have on the state's generations to come, has committed over \$450 million, and

WHEREAS, the Board of Regents desires to express its support by making a substantial financial commitment to Project Health.

NOW, THEREFORE, Be It Resolved, that the Board of Regents of the University of Nebraska commit \$250 million, comprised of \$150 million from the University of Nebraska System and \$100 million from UNMC, to the construction of Project Health Phase I, Building the Healthiest Nebraska, of Project NExT.

Resolution Adopted There being no objection, the above resolution was approved and adopted by the general consent of the Board.

VII. HEARINGS
None

VIII. PRESIDENT’S REMARKS

President Gold shared an update on the University, the current budget situation with the state, highlighting upon the economic impact report and reiterating the importance of working together as partners. He introduced a new strategic planning structure, providing five pillars that will guide the plan.

IX. PUBLIC COMMENT

None.

X. UNIVERSITY CONSENT AGENDA

Motion Moved by Clare and seconded by Weitz to approve all Consent items.

A. ACADEMIC AFFAIRS

X-A-1 University of Nebraska System
President’s Personnel Recommendations

Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: O’Connor, Schafer, Scheer, Stark, Weitz, Wilmot, Clare, Kenney. Motion carried.

XI. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by Weitz, seconded by Scheer to approve item XI-A-2.

XI-A-2 Approve elimination of the Master of Science (MS) degree in Architecture, with and without the specialization in Interior Design from the College of Architecture at the University of Nebraska – Lincoln (UNL).

Action Student Opinion: Voting Aye: Schroeder, Adidam, and Herbin. Voting Aye: Schafer, Scheer, Stark, Weitz, Wilmot, Clare, Kenney, and O’Connor. Motion carried.

- Motion Moved by Stark and seconded by Schroeder to approve item XI-A-3.
- XI-A-3 Approve elimination of the Nebraska Books Arts Center at the University of Nebraska at Omaha (UNO).
- Action Student Opinion: Voting Aye: Adidam, Herbin, Schroeder. Voting Aye: Scheer, Stark, Weitz, Wilmot, Clare, Kenney, O'Connor, and Schafer. Motion carried.

B. BUSINESS AND FINANCE

- Motion Moved by Scheer and seconded by Stark to approve item XI-B-1.
- XI-B-1 Approve and authorize an agreement with Aramark for concessions at UNL athletic facilities.
- Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: Stark, Weitz, Kenney, O'Connor, Schafer, and Scheer. Voting Nay: Wilmot. Abstaining: Clare. Motion carried.
- Motion Moved by Scheer and seconded by Schroeder to approve item XI-B-2.
- XI-B-2 Approve and authorize amendment to Lincoln Ball Park (NEBCO) joint operating agreement.
- Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: Weitz, Wilmot, Clare, Kenney, O'Connor, Schafer, Scheer, and Stark. Motion carried.
- Motion Moved by Wilmot and seconded by Schroeder to approve item XI-B-3.
- XI-B-3 Approve addendum to Silverhawk agreement.
- Action Student Opinion: Voting Aye: Schroeder, Adidam, and Herbin. Voting Aye: Wilmot, Clare, Kenney, O'Connor, Schafer, Scheer, Stark, and Weitz. Motion carried.
- Motion Moved by Scheer and seconded by Wilmot to approve item XI-B-4.
- XI-B-4 Approve adding enabling work to Phase I - Infrastructure Phase of Memorial Stadium Project.
- Action Student Opinion: Voting Aye: Adidam, Herbin, and Schroeder. Voting Aye: Clare, Kenney, O'Connor, Schafer, Scheer, Stark, Weitz, and Wilmot. Motion carried.
- Motion Moved by Weitz and seconded by Stark to approve item XI-B-5.
- XI-B-5 Approve UNMC Campus Utility and Public Safety Infrastructure Project.
- Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: Kenney, O'Connor, Schafer, Scheer, Stark, Weitz, Wilmot, and Clare. Motion carried.

C. EXECUTIVE

- Motion Moved by Clare and seconded by Wilmot to approve item XI-C-1.
- XI-C-1 Award of Regent Emeritus to Dr. Jim McClurg.
- Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: O'Connor, Schafer, Scheer, Stark, Weitz, Wilmot, Clare, and Kenney. Motion carried.
- Motion Moved by Stark and seconded by Wilmot to approve item XI-C-2.
- XI-C-2 Approve appointment of Anne Barnes to serve on the Aksarben Future Trust Board of Directors.
- Action. Student Opinion: Voting Aye: Schroeder, Adidam, and Herbin. Voting Aye: Schafer, Scheer, Stark, Weitz, Wilmot, Clare, Kenney, and O'Connor. Motion carried.
- Motion Moved by Schroeder and seconded by Herbin to approve item XI-C-3.
- XI-C-3 Approve Amendment to Board of Regents Policy RP 5.9 relating to Student Fees.
- Action Student Opinion: Voting Aye: Adidam, Herbin, and Schroeder. Voting Aye: Scheer, Stark, Weitz, Clare, Kenney, O'Connor, and Schafer. Voting Nay: Wilmot. Motion carried.

D. FOR INFORMATION ONLY

- XI-D-1 Update to Section 1.1 of the Bylaws of the Board of Regents of the University of Nebraska.
- XI-D-2 Update to Section 3.4.3.4 of the Bylaws of the Board of Regents of the University of Nebraska and Update to Section 3.3.13 of the Board of Regents Policy.

E. REPORTS

- XI-E-1 Proposal to establish an expedited Graduate Certificate in the Internet of Things to be administered by the School of Computing in the College of Engineering at the University of Nebraska-Lincoln (UNL).
- XI-E-2 Proposal to rename the Undergraduate Major in Graphic Design to the Bachelor of Arts (BA) in Graphic Arts at the University of Nebraska-Lincoln (UNL).
- XI-E-3 Dual degree offering between the University of Nebraska Medical Center (UNMC) College of Dentistry DDS Program and the University of Nebraska at Omaha (UNO) College of Business Administration (MBA) Program.
- XI-E-4 Annual Tenure Density Report.
- XI-E-5 Report on Campus Tuition Variances.
- XI-E-6 Four Year Graduation Rate Report.

- XI-E-7 Third Quarter Personnel Reports.
- XI-E-8 Supplemental Emeritus Appointments.
- XI-E-9 Naming of a classroom located in Andrews Hall at University of Nebraska Lincoln (UNL).
- XI-E-10 Budget Category Reallocation for the Memorial Stadium Improvement Project.
- XI-E-11 Capital Improvements Reserve Use Summary.
- XI-E-12 Bids and contracts.
- XI-E-13 Quarterly Gifts, grants, contracts, bequests.
- XI-E-14 Strategic Planning Process Update: Identification of key Strategic Pillars.

Chair Schafer accepted the reports on behalf of the Board.

The Board recessed at 11:15 a.m. to go into closed session upon return.

XII. CLOSED SESSION

Motion Moved by Scheer and seconded by Stark that the Board go into closed session as authorized by Neb. Rev. Stat. § 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:

- Honorary Degrees and Awards

Action Student Opinion: Voting Aye: Herbin, Schroeder, and Adidam. Voting Aye: Stark, Weitz, Wilmot, Clare, Kenney, O'Connor, Schafer, and Scheer. Motion carried.

Chair Schafer declared that the closed session would be strictly limited to a discussion of:

- Honorary Degrees and Awards

The Board went into closed session at 11:25 a.m.

The Board reconvened the open meeting at 11:53 a.m.

Motion Moved by Scheer and seconded by Schroeder to approve item XI-A-1 as amended.

XI-A-1 Approval to award Honorary Degrees and Awards.

Action Student Opinion: Voting Aye: Herbin, Schroeder, Adidam, and Devaraju. Voting Aye: Weitz, Wilmot, Clare, Kenney, O'Connor, Schafer, Scheer, and Stark. Motion carried.

XII. SUCCESSION OF CHAIR; ELECTION OF VICE CHAIR

Regent Schafer thanked his colleagues for their support during his 2024 term as Chair.

Regent Kenney succeeded as Chair of the Board as defined in Section 1.2 of the *Standing Rules of the Board of Regents*.

Motion Moved by Regent O'Connor to nominate Regent Weitz for the position of Vice Chair of the Board.

Moved by Regent Schafer to nominate Regent Scheer for the position of Vice Chair of the Board.

Moved by Regent Wilmot and seconded by Regent Stark to close nominations.

Action Student Opinion: Voting Aye: Schroeder, Adidam, Devaraju, and Herbin. Voting Aye: Wilmot, Clare, Kenney, O'Connor, Schafer, Scheer, Stark, and Weitz. Motion carried.

There being no further nominations, Regent Schafer declared the nominations period closed.

Motion A secret ballot was taken with Regent Kenney providing his vote via email to Corporation Secretary Hoffman as previously arranged. Corporation Secretary Hoffman announced that Regent Scheer received five votes and Regent Weitz received three votes. The position of the non-voting Student Regents was recorded as three votes for Regent Weitz and one abstention.

Former Chair Schafer announced Regent Scheer as Vice Chair.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chair Kenney at 12:04 p.m.

Respectfully submitted,

Katie Hoffman
Corporation Secretary

Paul Kenney
Chair of the Board



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, February 7, 2025 at 9:00 a.m. in the Boardroom at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, and by remote electronic means pursuant to Neb. Rev. Stat. § 84-1411. Internet stream is available at <https://nebraska.edu>.

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 at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska and at <https://nebraska.edu/regents/agendas-minutes>.

Any member of the public wishing to speak via remote participation during the Public Comment portion of the meeting must contact the Office of the Corporation Secretary no less than 24 hours prior to the commencement of the meeting. The public may so contact the Office of the Corporation Secretary by leaving a voice mail message with his/her name and phone number at which he/she can be reached at 402-472-3906 or by e-mailing the same information to corpsec@nebraska.edu. Upon receipt of such notice, the Office of the Corporation Secretary will provide instruction on remote participation in this public meeting.

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 System.

Dated: January 31, 2025

Katie Hoffman, Corporation Secretary
Board of Regents of the University of Nebraska

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System

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