

The Board of Regents of the University of Nebraska met on October 5, 2017, at 1:08 p.m. in the board room at Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska, in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of *Neb. Rev. Stat.* § 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 September 28, 2017.

Regents present:

Timothy Clare
Hal Daub
Howard Hawks
Paul Kenney
Bob Phares
Jim Pillen
Robert Schafer, Vice Chairman
Bob Whitehouse, Chairman
Austin Partridge, University of Nebraska at Kearney
Joe Zach, University of Nebraska-Lincoln
Carissa Lueck, University of Nebraska Medical Center
Carlo Eby, University of Nebraska at Omaha

University officials present:

Hank M. Bounds, President
Susan M. Fritz, Executive Vice President and Provost
Carmen K. Maurer, Corporation Secretary
Jeffrey P. Gold, Chancellor, University of Nebraska Medical Center and
University of Nebraska at Omaha
Ronnie D. Green, Chancellor, University of Nebraska-Lincoln
Douglas A. Kristensen, Chancellor, University of Nebraska at Kearney
David E. Lechner, Senior Vice President for Business and Finance | CFO
Joel D. Pedersen, Vice President and General Counsel
Matthew C. Hammons, Interim Vice President for University Affairs
Michael J. Boehm, Vice President of Agriculture and Natural Resources

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 1:08 p.m. in the board room of Varner Hall, 3835 Holdrege Street, Lincoln, Nebraska. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Kenney and seconded by Eby to approve the minutes and ratify the actions of the regularly scheduled meeting on August 11, 2017.

Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Daub, Hawks, Kenney, Phares, Pillen, Schafer, Whitehouse, and Clare. Motion carried.

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

IV. KUDOS

Regent Partridge presented a KUDOS award to Dylan Evans, Associate Director of Technical Services at the University of Nebraska at Kearney.

Regent Eby presented a KUDOS award to Karen Ressegieu, Administrative Assistant for the Dean of the College of Public Affairs and Community Service at the University of Nebraska at Omaha.

Regent Zach presented a KUDOS award to Larry Shippen, Associate Director for Housing Facilities Operations at the University of Nebraska-Lincoln.

V. RESOLUTIONS

None

VI. HEARINGS

None

VII. PUBLIC COMMENT

None

VIII. CONSENT AGENDA

Motion Moved by Pillen and seconded by Phares to approve items VIII-A-1, VIII-A-2, VIII-A-3, VIII-A-4, and VIII-A-5

A. ACADEMIC AFFAIRS

VIII-A-1 President's and Board of Regents Personnel Recommendations

VIII-A-2 Approval to Award Degrees and Certificates for the 2017-2018 academic year and 2018 summer sessions at the University of Nebraska at Kearney

VIII-A-3 Approval to Award Degrees and Certificates for the 2017-2018 academic year and 2018 summer sessions at the University of Nebraska-Lincoln

VIII-A-4 Approval to Award Degrees and Certificates for the 2017-2018 academic year and 2018 summer sessions at the University of Nebraska Medical Center

VIII-A-5 Approval to Award Degrees and Certificates for the 2017-2018 academic year and 2018 summer sessions at the University of Nebraska at Omaha

IX. ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Moved by Clare and seconded by Eby to approve item IX-A-1

IX-A-1 Approve Amendments to RP-6.7 and RP-5.10 of the *Policies of the Board of Regents* related to directory information for students.

See Attachment 2 to the minutes for the full text of the amendments to the Policies (pages 100-106).

Action Student Opinion: Voting Aye: Zach, Eby, Lueck, and Partridge. Voting Aye: Kenney, Phares, Pillen, Schafer, Whitehouse, Clare, Daub, and Hawks. Motion carried.

Motion Moved by Kenney and seconded by Lueck to approve items IX-A-2 and IX-A-3

IX-A-2 Approval is requested to create the Master of Science in Business Analytics in the College of Business at the University of Nebraska-Lincoln

IX-A-3 Approval is requested to create the Master of Science in Finance in the College of Business at the University of Nebraska-Lincoln

Action Student Opinion: Voting Aye: Eby, Lueck, Partridge, and Zach. Voting Aye: Phares, Pillen, Schafer, Whitehouse, Clare, Daub, Hawks, and Kenney. Motion carried.

- Motion Moved by Daub and seconded by Pillen to approve item IX-A-4
- IX-A-4 Approval is requested to dissolve the Center for Applied Rural Innovation in the Department of Agricultural Economics and the Great Plains Regional Center for Global Environmental Change in the School of Natural Resources at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Pillen, Schafer, Whitehouse, Clare, Daub, Hawks, Kenney, and Phares. Motion carried.
- Motion Moved by Daub and seconded by Eby to approve item IX-A-5
- IX-A-5 Approval is requested to create the Master of Health Administration in the Department of Health Services Research and Administration in the College of Public Health at the University of Nebraska Medical Center
- There was discussion
- Action Student Opinion: Voting Aye: Partridge, Zach, Eby, and Lueck. Voting Aye: Schafer, Whitehouse, Clare, Daub, Hawks, Kenney, Phares, and Pillen. Motion carried.
- Motion Moved by Lueck and seconded by Zach to approve item IX-A-6
- IX-A-6 Approval is requested to create the Occupational Therapy Doctorate in the College of Allied Health Professions at the University of Nebraska Medical Center
- There was discussion
- Action Student Opinion: Voting Aye: Zach, Eby, Lueck, and Partridge. Voting Aye: Whitehouse, Clare, Daub, Hawks, Kenney, Phares, Pillen, and Schafer. Motion carried.
- Motion Moved by Eby and seconded by Pillen to approve item IX-A-7
- IX-A-7 Approval is requested to establish a Department of Neurosurgery in the College of Medicine at the University of Nebraska Medical Center
- Action Student Opinion: Voting Aye: Eby, Lueck, Partridge, and Zach. Voting Aye: Clare, Daub, Hawks, Kenney, Phares, Pillen, Schafer, and Whitehouse. Motion carried.
- Motion Moved by Daub and seconded by Zach to approve item IX-B-8
- IX-A-8 Approval is requested to accept a gift and create the Leonard and Shirley Goldstein Center for Human Rights in the College of Arts and Sciences at the University of Nebraska at Omaha
- There was discussion
- Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Daub, Hawks, Kenney, Phares, Pillen, Schafer, Whitehouse, and Clare. Motion carried.
- B. BUSINESS AFFAIRS**
- Motion Moved by Phares and seconded by Hawks to approve items IX-B-1, IX-B-2, and IX-B-10
- University of Nebraska-Lincoln and University of Nebraska Medical Center
- IX-B-1 Approve the selection of The Clark Enersen Partners to provide design consultant services for the Gymnastics Training Facility project at the University of Nebraska-Lincoln
- IX-B-2 Approve the selection of Sinclair Hille Architects to provide design consultant services for the Mabel Lee Hall renovation/replacement project, at the University of Nebraska-Lincoln
- IX-B-10 Approve the selection of HDR to provide design consultant services for the Wittson Hall renovation at the University of Nebraska Medical Center

- Action Student Opinion: Voting Aye: Partridge, Zach, Eby, and Lueck. Voting Aye: Hawks, Kenney, Phares, Pillen, Schafer, Whitehouse, Clare, and Daub. Motion carried.
- Motion Moved by Kenney and seconded by Eby to approve item IX-B-3
- University of Nebraska-Lincoln
- IX-B-3 Approve the Program Statement for and naming of the Johnny Carson Center for Emerging Media Arts at the University of Nebraska-Lincoln
- Action Student Opinion: Voting Aye: Zach, Eby, Lueck, and Partridge. Voting Aye: Kenney, Phares, Pillen, Schafer, Whitehouse, Clare, Daub, and Hawks. Motion carried.
- Motion Moved by Kenney and seconded by Eby to approve item IX-B-4 and IX-B-5
- IX-B-4 Approve the Program Statement for Nebraska East Union Renovation at the University of Nebraska-Lincoln
- IX-B-5 Approve the attached Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$15,500,000 aggregate principal amount of Revenue Bonds (University of Nebraska-Lincoln East Union Project), (2) authorizing the execution and delivery of a Supplemental Master Indenture and the related Master Note, (3) authorizing the negotiated sale of such Revenue Bonds, approving the Bond Purchase Agreement, a Continuing Disclosure Undertaking, the Preliminary Official Statement and related documents, and authorizing the Senior Vice President | CFO to determine interest rates (not to exceed a true interest cost of 5%), principal amounts, principal maturities, redemption provisions and other pricing terms of such Revenue Bonds, and (4) approving the preparation and use of a Final Official Statement.
- There was discussion
- Action Student Opinion: Voting Aye: Eby, Lueck, Partridge, and Zach. Voting Aye: Phares, Pillen, Schafer, Whitehouse, Clare, Daub, Hawks, and Kenney. Motion carried.
- Motion Moved by Phares and seconded by Zach to approve item IX-B-6
- IX-B-6 Approve an Agreement with EduCo USA, Inc. for International Student Recruitment
- There was discussion
- Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Pillen, Schafer, Whitehouse, Clare, Daub, Hawks, Kenney, and Phares. Motion carried.
- Motion Moved by Phares and seconded by Daub to approve item IX-B-7 and IX-B-8
- IX-B-7 Approve the attached Resolution to authorize expenditure of up to \$7,727,500 for capital improvements for the Campus Recreation, Nebraska Unions and University Housing facilities from the Replacement Fund of the Student Fees and Facilities Revenue Bonds at the University of Nebraska-Lincoln
- IX-B-8 Approve the Resolution to authorize the expenditure of up to \$360,000 from the Replacement Fund of the UNL Parking Revenue Bonds to improve certain property and equipment
- There was discussion
- Action Student Opinion: Voting Aye: Partridge, Zach, Eby, and Lueck. Voting Aye: Schafer, Whitehouse, Clare, Daub, Hawks, Kenney, Phares, and Pillen. Motion carried.
- Motion Moved by Zach and seconded by Phares to approve item IX-B-9
- IX-B-9 Approve the waiver of the requirements of *Board of Regents Policy* RP-6.2.7 on the naming of facilities and name the athletic medicine center in the Tom and Nancy Osborne Complex in North Memorial Stadium at the University of Nebraska-Lincoln the “Dr. Pat Clare Athletic Medicine Center”

There was discussion

Regent Tim Clare recused himself from the vote on the naming of the “Dr. Pat Clare Athletic Medicine Center” in honor of his father. Regent Jim Pillen provided comments noting the important support Dr. Clare provided student athletes, not only in their physical care, but in building character as well. The Board asked that the record reflect their recognition of Dr. Clare in order that Regent Tim Clare might be apprised of their gratitude and clear support of this naming.

Action Student Opinion: Voting Aye: Zach, Eby, Lueck, and Partridge. Voting Aye: Whitehouse, Daub, Hawks, Kenney, Phares, Pillen, and Schafer. Recused: Clare. Motion carried.

Motion Moved by Pillen and seconded by Daub to approve item IX-B-11

University of Nebraska Medical Center

IX-B-11 Approve purchase of Palo Alto firewall system, related hardware and software

Action Student Opinion: Voting Aye: Eby, Lueck, Partridge, and Zach. Voting Aye: Clare, Daub, Hawks, Kenney, Phares, Pillen, Schafer, and Whitehouse. Motion carried.

Motion Moved by Kenney and seconded by Pillen to approve item IX-B-12

University of Nebraska at Omaha

IX-B-12 Approve the Project and Budget for the Arts and Sciences Hall Renovation at the University of Nebraska at Omaha

There was discussion

Action Student Opinion: Voting Aye: Lueck, Partridge, Zach, and Eby. Voting Aye: Daub, Kenney, Phares, Pillen, Schafer, Whitehouse, and Clare. Abstain: Hawks. Motion carried.

C. FOR INFORMATION ONLY

IX-C-1 University of Nebraska Strategic Planning Framework

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

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

IX-C-4 University of Nebraska Strategic Dashboard Indicators

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

D. REPORTS

IX-D-1 Personnel Reports for the period April 1 through June 30, 2017

IX-D-2 Leaves of Absence approved during the period July 1, 2016 through June 30, 2017

IX-D-3 Review of Multi-Departmental Academic Centers for Research, Teaching, and/or Service

IX-D-4 Expedited Approval of the Spanish Graduate Certificate in the Department of Modern Languages in the College of Fine Arts and Humanities at the University of Nebraska at Kearney

IX-D-5 Expedited Approval of the Applied Biostatistics Professional Certificate in the Department of Biostatistics in the College of Public Health at the University of Nebraska Medical Center

IX-D-6 Expedited Approval of the Nonprofit Management Graduate Certificate in the School of Public Administration in the College of Public Affairs and Community Service at the University of Nebraska at Omaha

IX-D-7	Report of Bids and Contracts
IX-D-8	Semi-Annual Report of Licenses
IX-D-9	Quarterly Report of Gifts, Grants, Contracts and Bequests
IX-D-10	Status Report of Six-Year Capital Plan
IX-D-11	Quarterly Status of Capital Construction Projects
IX-D-12	Strategic Framework Report on Programs of Excellence: FY2009-FY2013

Chairman Whitehouse accepted the reports on behalf of the Board.

X. ADDITIONAL BUSINESS

Motion Moved by Clare and seconded by Phares that the Board go into closed session as authorized by Neb. Rev. Stat. § 84-1410 for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subject:

- Personnel matters involving members of the university staff.

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

- Personnel matters involving members of the university staff.

Action Student Opinion: Voting Aye: Partridge, Zach, Eby, and Lueck. Voting Aye: Hawks, Kenney, Phares, Pillen, Schafer, Whitehouse, Clare, and Daub. Motion carried.

The Board went into closed session at 2:00 p.m. The Board reconvened the open meeting at 2:45 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Whitehouse at 2:46 p.m.

Respectfully submitted,

Carmen K. Maurer
Corporation Secretary

Robert L. Whitehouse
Chairman of the Board

ATTACHMENT 2

Amendments to the *Policies* of the Board of Regents of the University of Nebraska:

RP-6.7 Records of the University

Records and documents of the University are available for inspection in the Office of the Corporation Secretary. The following types of records and documents are deemed to be confidential records, and will not be made available to the public, except upon written authorization signed by the individual or individuals to whom the records pertain or by a person duly authorized to act on behalf of such individual or individuals: student academic records; personal information in student records, except public directory information; personal information in faculty and staff personnel records, except salary and routine directory information; communications between attorney and client; communications between physician and patient; hospital medical records; and any other records declared to be confidential under the Federal and State law, provided, if otherwise consistent with the law, such records with names deleted and kept confidential may be made available for governmental research and analysis. Records and documents that are not confidential shall be available by written request to the Corporation Secretary and by paying the reasonable cost and expense of making said records available. In very limited circumstances, the University may share nondirectory personnel information with third parties when such third parties are performing a University service or function provided, however, that the President or the President's designee has approved the information disclosure. The University may share nondirectory personnel information as a part of administrative proceedings including, but not limited to, NEOC proceedings. The University will comply with any lawful administrative or judicial order requiring the production records, and will provide records in response to legitimate requests for discovery of evidence in litigation in which the University is involved.

1. For the purposes of this section, the term "personnel" shall mean and include persons who are employees of the University and persons who are or have been either applicants or nominees for employment by the University.
2. For the purpose of this section, the term "personnel records" shall be inclusive of the entire employment process beginning with application or nomination for appointment, search committee evaluation and appointing authority evaluation, through appointment and employment, and ending with separation from employment. Personnel records shall include (1) all records and documents pertaining to any person who is an applicant or nominee for any University personnel position described in Section 3.1 of these Bylaws, regardless of whether any such person is ever actually employed by the University, and (2) all records and documents pertaining to any person employed by the University.
3. For the purpose of this section, the term "personal information" when used in relation to faculty and staff personnel records shall mean and include, but not be limited to, (1) all records and documents pertaining to any applicant or nominee for appointment to any University personnel position described in Section 3.1 of these Bylaws, except the names of candidates accepted by an appointing officer or appointing authority pursuant to Section 2.1 of these Bylaws as finalists under consideration for appointment, and (2) all records and documents pertaining to the employment of any person by the University, except salary and routine directory information.
4. For the purpose of this section, the term "routine directory information," when used in relation to the term "personal information" in faculty and staff personnel records, shall mean and be limited to (1) name of the person employed by the University, (2) date of employment, (3) type of University personnel appointment or appointments held and term of each appointment, (4) title or academic rank, (5) University employment address, (6) University telephone number, (7) University email address, (8) postsecondary education degrees earned, (9) awards or honors, and (10) date of separation from University employment.

Notwithstanding any provision above to the contrary, the University shall comply with such federal, state and local laws as may be applicable to its records, including laws related to confidentiality and disclosure.

RP-5.10 Student Information and the Family Educational Rights and Privacy Act of 1974 (FERPA).

1. Scope of Policy

This policy governs all "education records" maintained by all campuses and the central administration of the University of Nebraska.

2. Purpose of FERPA; Definition of Education Records

- a. FERPA affords students certain rights with respect to their education records. FERPA defines “education records” as those records:

Directly related to a student; and

Maintained by an institution or a party acting for the institution.

- b. FERPA provides students who reach the age of 18, or who attend the University of Nebraska, with the right to inspect and review their own education records. Students also have the right to request an amendment to their education records and have some control over the disclosure of personally identifiable information contained in these records.
- c. FERPA applies to the education records of persons who are or have been in attendance at the University of Nebraska, including students in cooperative and correspondence study programs. The rights provided to students under the federal law set forth in FERPA do not apply to records of applicants for admission who are denied acceptance or, if accepted, do not attend the University of Nebraska; however, student application materials are not considered public records under Nebraska state law and will not be disclosed to the public except as permitted by law.

3. Records Not Covered By FERPA

The term "education records" does not include:

- a. Records which are in the sole possession of the maker and are neither accessible nor revealed to any other person, except a substitute who performs on a temporary basis the duties of the individual who made the records.
- b. Records maintained by a law enforcement unit of the University of Nebraska for the purpose of law enforcement. (Note other laws addressing campus security may also apply to law enforcement records.)
- c. Records relating to an individual’s employment at the University of Nebraska, when such employment is not based upon the individual’s status as a student; provided that the records are made and maintained in the normal course of business, relate exclusively to the individual’s capacity as an employee, and are not available for use for any other purpose.
- d. Medical and counseling records used solely for treatment. (Medical records may be reviewed by a physician of the student’s choice.)
- e. Records that only contain information about an individual after he or she is no longer a student (e.g. alumni records). Records of an individual while a student continue to be “education records” after the student leaves or graduates from the University of Nebraska.

4. Students Rights to Inspect and Review Educational Records

- a. Students and former students have the following rights:
 - The right to inspect and review their education records within 45 days of their request to inspect.
 - The right to a response to a reasonable request for an explanation and interpretation of the record.
 - The right to a copy of the education record when failure to provide a copy of the record would effectively prevent the student from inspecting and reviewing the record. The student may be charged a normal cost for copies, if such a charge does not effectively prevent the student from inspecting and reviewing the record.
- b. The University of Nebraska is not required to permit a student to inspect and review education records, which contain:
 - Financial information submitted by parents.
 - Confidential letters and recommendations placed in their files prior to January 1, 1975.
 - Confidential letters and recommendations placed in their files after January 1, 1975, if:
 - (1) the student has waived the right to inspect and review those records; and
 - (2) the

records are related to the student's admission to an educational institution or program, application for employment, or receipt of an honor.

- c. If an education record contains information pertaining to more than one student, a review and inspection will only be allowed for that specific information pertaining to the requesting student.

5. Procedure to Inspect and Review; Challenges to the Record

- a. A student should submit to the registrar, director of registration and records, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. Compliance with an appropriate request for an inspection shall be made within no greater than 45 days.
- b. A student may ask the University to amend an education record that the student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. If the student wishes to amend an education record, the student should write the University official responsible for the record, clearly identify the part of the record the student wishes to amend and specify why it should be changed. If the University official decides not to amend the record as requested, the student will be notified of the decision in writing and advised of his or her right to a hearing regarding the request for amendment. At that time, additional information regarding the hearing procedures will be provided to the student.
- c. The right to challenge grades is not covered by this policy, unless the grade assigned was inaccurately recorded in an education record, in which case the record will be corrected.

6. Consent to Release Education Records

Prior to releasing all or any part of an education record to a person other than the student to whom the record refers, consent must be obtained from the student. The consent must specify the information to be released, the reason for the release, and to whom it is to be released. The student may have a copy of the information released, if he or she desires.

7. Releases Without Consent

No consent from the student is required for the release of an education record or personally identifiable information under the following circumstances:

- a. A request for information in an education record or personally identifiable information by a "school official" determined to have a "legitimate educational interest" in the information. "School official" shall mean a person employed by any administrative unit (i.e., a campus or central administration) of the University of Nebraska in an administrative, supervisory, academic, research, or support staff position (including University law enforcement personnel and health center staff); a person or company with whom the University of Nebraska has contracted to carry out the duties related to a legitimate educational interest (including attorneys, auditors, and collection agents); employment or degree verification agencies such as the National Student Clearinghouse; a member of the Board of Regents; or those serving on committees or similar bodies charged to carry out tasks on behalf of the University of Nebraska. A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. Note that a school official located at one University of Nebraska administrative unit may have a legitimate educational interest in the educational records and personally identifiable information maintained at another administrative unit.
- b. Lawful compliance with a properly issued subpoena or court order.
- c. A request in connection with a student's application for financial aid.
- d. A request by an organization conducting studies to develop, validate, and administer predictive tests, to administer student aid programs, or to improve instruction, on behalf of the University of Nebraska, if the studies do not permit the personal identification of parents and students outside of the study representatives, and the information is destroyed once it is no longer needed by the studies.
- e. Information submitted to accrediting organizations.

- f. A request of a parent of a dependent student, as established by Section 152 of the Internal Revenue Code of 1986.
 - g. In case of an emergency, if the knowledge of the protected information is necessary to protect the health or safety of students or other persons.
 - h. A request from authorized state or federal representatives in relation to a state or federal audit of government supported programs.
 - i. A request from an official of another school, school system, or institution of higher education in which a student seeks or intends to enroll; provided however, that the annual notice required by FERPA must include a statement that the University of Nebraska forwards education records to other agencies or institutions, in which the student seeks or intends to enroll, upon request of the agency or institution.
 - j. In the case of a crime of violence, the University of Nebraska shall provide to the victim, the results of any institutional disciplinary proceeding against the alleged perpetrator.
 - k. Requests for directory information, as more specifically discussed below.
8. Directory Information; Definition; Request for Non-Disclosure
- a. The University of Nebraska has defined the following student information as public directory information:
 - student name
 - ~~local address~~
 - permanent address
 - telephone listings
 - ~~University email address~~
 - year at the University
 - dates of attendance
 - academic college and major field of study
 - enrollment status (e.g. undergraduate or graduate; full-time or part-time)
 - participation in officially recognized activities and sports
 - degrees, honors and awards received
 - most recent educational agency or institution attended

The University of Nebraska has defined the following student information as non-public directory information:

- local address
- permanent address
- telephone listings
- University email address

b. Non-public Directory information will be available to University faculty, staff, and students for University purposes. At the University's sole discretion, the University may provide non-public directory information to University affiliates, such as alumni associations, foundations, and other similar affiliated third parties; in addition, the University may provide non-public directory information to entities performing a University service or function. A request by any party unrelated to the University for that party's own commercial purposes will not generally be considered a University purpose and provision of non-public directory information to any unrelated party requires the approval of the President or the President's designee. Non-public and public Directory information may be included in student

directories published electronically and in hard copy. However, students have the right to have all non-public and public directory information withheld if they so desire. ~~During the first two weeks of any semester, a~~ student who wants his or her directory information to be withheld shall do so in accordance with processes established on the campus or campuses where the student is enrolled, such processes to be reasonably communicated or distributed to the students with respect to each campus or campuses where they are enrolled. ~~indicate by completing a form obtained from the registrar's office or other office in charge of registration and records; provided however, that a form to withhold directory information may be submitted after the two week period, when a student for reasonable cause, such as personal threats, safety or health concerns, requests his or her directory information to be withheld.~~ The student's request will be processed within a reasonable amount of time. Directory information already included in hard copy publications will be removed at the next printing of the hard copy publication.

9. Parental Access to Children's Education Records

At the post secondary level, FERPA provides few rights to parents to inspect a child's education records. The right to inspect and review is limited solely to the student/child. Records may be released to the parents only under the following circumstances:

- a. Lawful compliance with a properly issued subpoena or court order;
- b. The parent establishes that the student is a dependent according to Section 152 of the Internal Revenue Code of 1986; or
- c. The student provides a FERPA consent to the parental access.

10. Job References for Students by Faculty

FERPA's prohibition on disclosure of personally identifiable information (other than directory information) applies to job references. This includes information about performance in class, grades, attitude, motivation, and ability, whether conveyed in writing, in person, e-mail or over the telephone to third parties.

Although such information is often conveyed by faculty members at the informal request of the student and is usually positive, the better practice would be to request a written consent form, meeting the FERPA requirements, before providing the information.

11. Recordkeeping

Each administrative unit of the University of Nebraska has an obligation to keep a record of requests and disclosures of student record information, except when the request is from the student, a University school official with a legitimate educational interest, a request for directory information, or a request to which the student has given a FERPA consent. A student has the right to review the record of requests and disclosures made in relation to his or her education records.

12. FERPA/Precedence

This policy is intended to comply with FERPA, the provisions of which and its related regulations, are incorporated herein as they exist at the time of this policy's adoption, and as they may from time-to-time be amended. Should it be determined that this policy is inconsistent with FERPA, or any other applicable law, the law shall take precedence.

13. Notice

The following uniform notice shall be published and provided to all students in accordance with federal law:

Notice of FERPA Rights: Student Records and Privacy

Note: Highlights concerning student rights with respect to education records appear below. A full copy of Regents Policy 5.10 "Student Information and the Family Educational Rights and Privacy Act of 1974 (FERPA)" is available in the [insert name of campus office in charge of registration and records] or may be found at www.nebraska.edu in the section containing Regents Policies.

The Family Educational Rights and Privacy Act (FERPA) affords you certain rights with respect to your education records. They are:

- 1. The right to inspect and review your education records within 45 days of the day the University receives a request for access.**

You should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) you wish to inspect. The University official will make arrangements for access and notify you of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise you of the correct official to whom the request should be addressed.

2. The right to request the amendment of your education records that you believe are inaccurate, misleading, or otherwise in violation of your privacy rights under FERPA.

If you wish to ask the University to amend a record, you should write the University official responsible for the record, clearly identify the part of the record you want changed and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify you of the decision in writing and advise you of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information from your education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including University law enforcement unit personnel and health staff); a person or company with whom the University has contracted (including attorneys, auditors, or collection agents); employment or degree verification agencies such as the National Student Clearinghouse; a member of the Board of Regents; or those serving on official committees or similar bodies charged to carry out tasks on behalf of the University of Nebraska. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University. Note that a school official located at one University of Nebraska campus may have a legitimate educational interest in the educational records and personally identifiable information maintained at another University of Nebraska campus. Your records may be disclosed to your parent(s) upon request, if your parent(s) demonstrate(s) that you are your parent(s)' dependent for income tax purposes. In addition, the University may disclose education records without your consent upon the request of officials of other schools where you seek enrollment or intend to enroll.

Your educational records may also be disclosed without your written consent when you apply for financial aid. This is done in order to determine your eligibility for, the amount of, or the conditions of the aid, and also for purposes of enforcing the terms of the aid. At the University of Nebraska, your application for financial aid may take a variety of forms. For example, some financial aid applications are incorporated into the process by which you apply for admission (e.g. the FASFA form); or you may apply in a separate process using a form that seeks a broad variety of state and federal scholarship sources; or you may use a very specific application for a certain scholarship offered by a particular private source outside of the University. The University of Nebraska Foundation is a private source, among others, that funds many scholarships at the University of Nebraska. If you apply for financial aid, it is quite likely that certain information in your educational records will be provided to the Foundation in order to facilitate the award of the scholarship funds held by the Foundation.

Note that Regents Policy 5.10 referred at the top of this Notice lists in detail these and other circumstances when FERPA authorizes disclosure without your consent.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

The Family Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

Notice Regarding Directory Information

The University of Nebraska has defined the following student information as public directory information:

- student name
- ~~local address~~
- permanent address
- ~~telephone listings~~
- ~~University email address~~
- year at the University
- dates of attendance
- academic college and major field of study
- enrollment status (e.g. undergraduate or graduate; full-time or part-time)
- participation in officially recognized activities and sports
- degrees, honors and awards received
- most recent educational agency or institution attended

The University of Nebraska has defined the following student information as non-public directory information:

- local address
- permanent address
- telephone listings
- University email address

Non-public dDirectory information will be available to University faculty, staff, and students for University purposes. At the University's sole discretion, the University may provide non-public directory information to University affiliates, such as alumni associations, foundations, and other similar affiliated third parties; in addition, the University may provide non-public directory information to entities performing a University service or function. A request by any party unrelated to the University for that party's own commercial purposes will not generally be considered a University purpose and provision of ~~this non-public directory~~ information to any unrelated party requires the approval of the President or the President's designee. Non-public and public dDirectory information may be included in student directories published electronically and in hard copy. However, students have the right to have all non-public and public directory information withheld if they so desire. ~~During the first two weeks of any semester, a~~ A student who wants his or her directory information to be withheld shall do so in accordance with processes established on the campus or campuses where the student is enrolled, such processes to be reasonably communicated or distributed to the students with respect to each campus or campuses where they are enrolled. indicate by completing a form obtained from the [insert the name of the campus office in charge of registration and records]. The student's request will be processed within a reasonable amount of time. Directory information already included in hard copy publications will be removed at the next printing of the hard copy publication.